

ESTTA Tracking number: **ESTTA223993**

Filing date: **07/14/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Apple Inc.
Granted to Date of previous extension	07/13/2008
Address	1 Infinite Loop Cupertino, CA 95014 UNITED STATES
Attorney information	Stephen J. Coates Kilpatrick Stockton LLP 31 W 52nd Street, 14th Floor New York, NY 10019 UNITED STATES scoates@kilpatrickstockton.com, agarcia@kilpatrickstockton.com, jpeterse@kilpatrickstockton.com Phone:212-775-8700

### Applicant Information

Application No	77239699	Publication date	01/15/2008
Opposition Filing Date	07/14/2008	Opposition Period Ends	07/13/2008
Applicant	Owens, Ernest 171 South St. #6b Jamaica Plain, MA 02130 UNITED STATES		

### Goods/Services Affected by Opposition

Class 041. First Use: 2000/06/00 First Use In Commerce: 2000/06/00  
All goods and services in the class are opposed, namely: Entertainment in the nature of live performances by a musician; Entertainment, namely, live music concerts

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1078312	Application Date	03/25/1977
Registration Date	11/29/1977	Foreign Priority Date	NONE
Word Mark	APPLE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1976/04/00 First Use In Commerce: 1976/04/00 COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE

U.S. Registration No.	1114431	Application Date	03/20/1978
Registration Date	03/06/1979	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	THE MARK CONSISTS OF A SILHOUETTE OF AN APPLE WITH A BITE REMOVED.		
Goods/Services	Class 009. First use: First Use: 1977/01/00 First Use In Commerce: 1977/01/00 COMPUTERS AND COMPUTER PROGRAMS RECORDED ON PAPER AND TAPE		

U.S. Registration No.	2715578	Application Date	07/01/2002
Registration Date	05/13/2003	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1977/01/01 First Use In Commerce: 1977/01/01 Computers hardware; computer hardware, namely, server, desktop, laptop, notebook and subnotebook computers; hand held and mobile computers; computer terminals and monitors; personal digital assistants; portable digital audio players; electronic organizers; computer keyboards, cables, modems; audio speakers; computer video control devices, namely, computer mice, trackballs, joysticks and gamepads; a full line of computer software for business, home, education, and developer use; computer programs for personal information management; database management software; character recognition software; telephony management software; electronic mail and messaging software; telecommunications software, namely for paging; database synchronization software; computer programs for accessing, browsing and searching online databases; operating system software; application development tool programs; blank computer storage media; fonts, typefaces, type designs and symbols recorded on magnetic media; computer software for use in providing multiple user access to a global computer information network for searching, retrieving, transferring, manipulating and disseminating a wide range of information; computer software for use as a programming interface; computer software for use in network server sharing; local and wide area networking software; computer software for matching, correction, and reproduction of color; computer software for use in digital video and audio editing; computer software for use in enhancing text and graphics; computer software for use in font justification and font quality; computer software for use to navigate and search a global computer information network, as well as to organize and summarize the information retrieved; computer software for use in word processing and database management; word processing software incorporating text, spreadsheets, still and moving images, sounds and clip art;		

	computer software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing audio, video, still images and other digital data; computer software for analyzing and troubleshooting other computer software; children's educational software; computer game software; Computer graphics software; Computer search engine software; Web site development software; computer program which provides remote viewing, remote control, communications and software distribution within personal computer systems and across computer network; computer programs for file maintenance and data recovery; computer peripherals; instructional manuals packaged in association with the above
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U.S. Registration No.	3298028	Application Date	08/02/2006
Registration Date	09/25/2007	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1981/03/01 First Use In Commerce: 1981/03/01 Arranging and conducting trade shows, and trade show expositions and exhibitions in the fields of computers, computer software, online services, information technology, and consumer electronics</p> <p>Class 041. First use: First Use: 1981/03/01 First Use In Commerce: 1981/03/01 Education and training services, namely, conducting classes, workshops, conferences and seminars in the field of computers, computer software, online services, information technology, internet website design, video products and consumer electronics; arranging of exhibitions, seminars and conferences; arranging professional workshop and training courses; computer education training services; training in the use and operation of computers and computer software; providing a website for the uploading, sharing, viewing and posting of photographs, digital images, movies, videos, online journals, namely web blogs in general interest fields, and other related multimedia entertainment materials over a global computer network; providing fitness and exercise facilities; Physical fitness consultation and instruction; providing on-line publications in the nature of newsletters in the field of computers and education; providing information in the field of education via the internet; providing information in the field of entertainment via the Internet concerning movies, music, videos, television, celebrities, sports, news, history, science, politics, comedy, children's entertainment, animation, culture, current events</p>		

U.S. Registration No.	2034964	Application Date	06/26/1995
Registration Date	02/04/1997	Foreign Priority Date	NONE
Word Mark	APPLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1968/08/00 First Use In Commerce: 1968/08/00 gramophone records featuring music; pre-recorded audio tape cassettes featuring music; audio compact discs featuring music; pre-recorded video tape cassettes featuring music; [ video laser discs featuring music ]</p>		

U.S. Registration No.	2036537	Application Date	06/26/1995
Registration Date	02/11/1997	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1968/08/00 First Use In Commerce: 1968/08/00 gramophone records featuring music; pre-recorded audio compact discs featuring music		

U.S. Registration No.	2041653	Application Date	06/26/1995
Registration Date	03/04/1997	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1968/08/00 First Use In Commerce: 1968/08/00 gramophone records featuring music; pre-recorded audio tape cassettes featuring music; audio compact discs featuring music; pre-recorded video tape cassettes featuring music; [ video laser discs featuring music ]		

U.S. Registration No.	3200354	Application Date	06/04/2004
Registration Date	01/23/2007	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an artistic rendering of a half apple.		
Goods/Services	Class 009. First use: Musical sound recordings; sound recordings featuring entertainment, music, musicians, documentaries, biographies, interviews, performances, reviews, historical narratives, drama and fiction; musical video recordings; musical cinematographic films; video records and cinematographic films featuring entertainment, music, musicians, caricatures, cartoons, animation, television programs, documentaries, film excerpts, biographies, interviews, performances, reviews, historical narratives, drama and fiction; sound recordings, video records, cinematographic films, namely, television programs, motion pictures, audio visual records and audio video film footage for television and other transmission; audio and visual recordings featuring or relating to music, entertainment and films; pre-recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records featuring music, entertainment and cinematographic films; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films		

U.S. Registration No.	3221275	Application Date	06/04/2004
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Registration Date	03/27/2007	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an artistic rendering of an apple.		
Goods/Services	<p>Class 009. First use:</p> <p>Musical sound recordings; sound recordings featuring entertainment, music, musicians, documentaries, biographies, interviews, performances, reviews, historical narratives, drama and fiction; musical video recordings; musical cinematographic films; video records and cinematographic films featuring entertainment, music, musicians, caricatures, cartoons, animation, television programs, documentaries, film excerpts, biographies, interviews, performances, reviews, historical narratives, drama and fiction; sound recordings, video records, cinematographic films, namely, television programs, motion pictures, audio visual records and audio video film footage for television and other transmission; audio and visual recordings featuring or relating to music, entertainment and films; pre-recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records featuring music, entertainment and cinematographic films; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films</p>		

U.S. Registration No.	3317089	Application Date	06/04/2004
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	APPLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use:</p> <p>Musical sound records; sound records featuring entertainment; sound records featuring music, musicians, documentaries, biographies, interviews, performances, reviews, drama and fiction; musical video records; video records featuring entertainment; video records featuring music, musicians, caricatures, cartoons, animation, documentaries, biographies, interviews, performances, reviews, drama and fiction; cinematographic films; musical sound recordings; musical video recordings; audio and visual recordings featuring or relating to music, entertainment and films; pre-recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films</p>		

Attachments	<p>73162799#TMSN.jpeg ( 1 page )( bytes )</p> <p>76426501#TMSN.gif ( 1 page )( bytes )</p> <p>78943482#TMSN.jpeg ( 1 page )( bytes )</p> <p>74693838#TMSN.gif ( 1 page )( bytes )</p> <p>74693680#TMSN.gif ( 1 page )( bytes )</p> <p>78430282#TMSN.jpeg ( 1 page )( bytes )</p> <p>78430266#TMSN.jpeg ( 1 page )( bytes )</p>
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	78430230#TMSN.jpeg ( 1 page )( bytes ) APPLEJAXX NOO EXECUTED.pdf ( 16 pages )(693440 bytes ) APPLEJAXX Exhibits.pdf ( 86 pages )(10058423 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/STEPHEN J COATES/
Name	Stephen J. Coates
Date	07/14/2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/239,699

For the mark: APPLEJAXX

Filed: July 26, 2007

Published: January 15, 2008

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APPLE INC.,	:	
	:	Opposition No.
Opposer,	:	
	:	<b><u>NOTICE OF OPPOSITION</u></b>
	:	
v.	:	
	:	
ERNEST OWENS DBA APPLEJAXX,	:	
	:	
Applicant.	:	
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APPLE INC. ("Opposer"), a corporation organized and existing under the laws of California with a principal place of business at 1 Infinite Loop, Cupertino, California 95014, believes that it will be damaged by the issuance of registrations for the trademark shown in Application Serial No. 77/239,699 and hereby opposes same.

As grounds for its opposition, Opposer alleges as follows, with knowledge concerning its own acts, and on information and belief as to all other matters:

1. Opposer's APPLE brand is one of the best known brands in the world. Opposer designs, manufactures and/or markets in interstate and international commerce, among other things, computers, computer software, live musical entertainment, iPod mobile media players and computers, iPhone mobile phones, iTunes media player software, iTunes Store internet-based media retail and audio and visual content-delivery services and a broad range of other goods and services.

2. Since at least as early as 1977, Opposer has extensively promoted, marketed, advertised, distributed and sold goods and services in connection with a family of trademarks consisting, in whole or in part, of the word APPLE and a visual equivalent of the word, to wit a logo depicting a stylized apple, as shown below:



(the “Apple Logo”).

3. Opposer’s family of APPLE-based word marks and its Apple Logo (collectively, the “APPLE Marks”) have achieved an extraordinary level of fame and consumer recognition. As a result of Opposer’s extensive advertising, promotion and use of its APPLE Marks in connection with a variety of goods and services, Opposer’s APPLE Marks have acquired enormous goodwill, and have come to be immediately identified with Opposer as the source of goods and services.

4. The APPLE Marks are famous under the Lanham Act, specifically 15 U.S.C. § 1125 *et seq.*, and are among the most valuable trademarks in the world. The extraordinary level of fame and consumer recognition that the APPLE Marks currently enjoy cannot be seriously disputed.

5. For many years, Apple’s APPLE brand (including the Apple Logo) has consistently been recognized as one of the top brands in the United States and throughout the world. For example, Harris Interactive Inc., one of the world’s largest market research firms, found Apple’s APPLE brand to be one of the 10 most recognized brands in the United States in its 2006 and 2007 *Harris Polls* of “best brands,” which are based upon consumer responses.

Attached as **Exhibit 1** is a printout of *The Harris Poll* #71, July 17, 2007 of “Best Brands.” As another example, in the yearly surveys of Brandchannel.com (an online affiliate of Interbrand Corporation (“Interbrand”), the leading brand assessment company), Apple’s APPLE brand has consistently been found by the public to be one of the top two brands in the world. Attached as **Exhibit 2** are true and correct copies of representative articles from Brandchannel.com.

6. In addition, Interbrand, using different criteria than Brandchannel.com, has consistently recognized Apple’s APPLE brand as belonging in the top 50 brands worldwide.<sup>1</sup> Attached as **Exhibit 3** are copies of the rankings of Apple’s APPLE brand, in reverse chronological order from 2007 through 2001, as compiled by Interbrand. Interbrand has given the APPLE brand the following rankings and U.S. dollar values over the past six years:

- i. 2007: valuing the APPLE brand as the 33<sup>rd</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$11.037 billion.
- ii. 2006: valuing the APPLE brand as the 39<sup>th</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$9.130 billion.
- iii. 2005: valuing the APPLE brand as the 41<sup>st</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$7.985 billion.
- iv. 2004: valuing the APPLE brand as the 43<sup>rd</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$6.871 billion.
- v. 2003: valuing the APPLE brand as the 50<sup>th</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$5.55 billion.
- vi. 2002: valuing the APPLE brand as the 50<sup>th</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$5.32 billion.
- vii. 2001: valuing the APPLE brand as the 49<sup>th</sup> most valuable brand in the entire world, with an estimated brand worth of U.S. \$5.46 billion.

7. Furthermore, over the past three years, Millward Brown Optimor (“MBO”), a leading market research and brand valuation and management company, has found Apple to be

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<sup>1</sup> Interbrand’s rankings depend in part on market capitalization, and therefore, to that extent, penalize Apple because Apple’s market capitalization is smaller than many of the companies that appear in Interbrand’s rankings.



one of the top 100 brands in its annual assessment of the 100 most valuable brands in the world, entitled “Brandz – Top 100 Brand Rankings.” Apple’s APPLE brand was ranked 29<sup>th</sup> in 2006 and 16<sup>th</sup> in MBO’s 2007 rankings. In MBO’s 2008 rankings, Apple’s APPLE brand was assessed as the 7<sup>th</sup> most valuable brand in the world, with an estimated value of over US \$55 billion – an increase of 123% from MBO’s 2007 assessment. Attached as **Exhibit 4** are copies of relevant pages of MBO’s rankings in reverse chronological order from 2008 through 2006.


8. Additionally, each year since 2006, *Fortune Magazine* has published its list of “America’s Most Admired Companies.” Apple has featured prominently in these rankings each year, placing 11<sup>th</sup> in 2006, and 7<sup>th</sup> in 2007. In 2008, Apple topped the list, and was named “America’s Most Admired Company” for the year. Attached as **Exhibit 5** are true and correct copies of printouts of *Fortune Magazine*’s “Most Admired Company” rankings in reverse chronological order from 2008 through 2006.

9. Moreover, in 2006, *Business Week Magazine* named Apple as the world’s most innovative company in its article on “The World’s Most Innovative Companies.” Attached as **Exhibit 6** is a true and correct printout from *Business Week Magazine*’s web site naming Apple as the world’s most innovative company.

10. Opposer is the owner of numerous United States Registrations on the Principal Register for Opposer’s APPLE Marks, including, without limitation, the following registrations:

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES
APPLE	1,078,312	March 25, 1977 Nov. 29, 1977	Class 9: computers and computer programs recorded on paper and tape.

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES
	1,114,431	March 20, 1978 March 6, 1979	Class 9: computers and computer programs recorded on paper and tape.
	2,715,578	July 1, 2002 May 13, 2003	Class 9: computers hardware; computer hardware, namely, server, desktop, laptop, notebook and subnotebook computers; hand held and mobile computers; computer terminals and monitors; personal digital assistants; portable digital audio players; electronic organizers; computer keyboards, cables, modems; audio speakers; computer video control devices, namely, computer mice, trackballs, joysticks and gamepads; a full line of computer software for business, home, education, and developer use; computer programs for personal information management; database management software; character recognition software; telephony management software; electronic mail and messaging software; telecommunications software, namely for paging; database synchronization software; computer programs for accessing, browsing and searching online databases; operating system software; application development tool programs; blank computer storage media; fonts, typefaces, type designs and symbols recorded on magnetic media; computer software for use in providing multiple user access to a global computer information network for searching, retrieving transferring, manipulating and disseminating a wide range of information; computer software for use as a programming interface; computer software for use in network server sharing; local and wide area networking software; computer software for matching, correction, and reproduction of color; computer software for use in digital video and audio editing; computer software for

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES
			<p>use in enhancing text and graphics; computer software for use in font justification and font quality; computer software for use to navigate and search a global computer information network, as well as to organize and summarize the information retrieved; computer software for use in word processing and database management, word processing software incorporating text, spreadsheets, still and moving images, sounds and clip art; computer software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing audio, video, still images and other digital data; computer software for analyzing and troubleshooting other computer software; children's educational software; computer game software; Computer graphics software; Computer search engine software; web site development software; computer program which provides remote viewing, remote control, communications and software distribution within personal computer systems and across computer network; computer programs for file maintenance and data recovery; computer peripherals; instructional manuals packaged in association with the above.</p>
	3,298,028	August 2, 2006 September 25, 2007	<p>Class 35: Arranging and conducting trade shows, and trade show expositions and exhibitions in the fields of computers, computer software, online services, information technology, and consumer electronics</p> <p>Class 41: Education and training services, namely, conducting classes, workshops, conferences and seminars in the field of computers, computer software, online services, information technology, internet website design, video products and consumer electronics; arranging of exhibitions, seminars and conferences; arranging professional workshop and training</p>

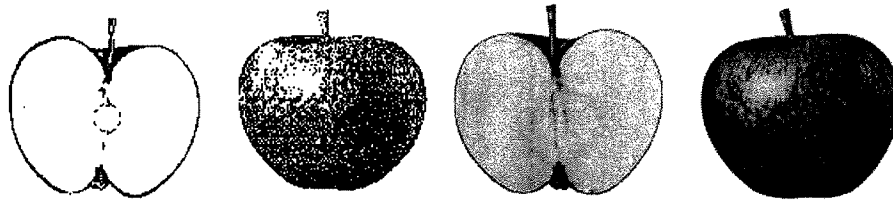


TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES
			courses; computer education training services; training in the use and operation of computers and computer software; providing a website for the uploading, sharing, viewing and posting of photographs, digital images, movies, videos, online journals, namely web blogs in general interest fields, and other related multimedia entertainment materials over a global computer network; providing fitness and exercise facilities; Physical fitness consultation and instruction; providing on-line publications in the nature of newsletters in the field of computers and education; providing information in the field of education via the internet; providing information in the field of entertainment via the Internet concerning movies, music, videos, television, celebrities, sports, news, history, science, politics, comedy, children's entertainment, animation, culture, current events

Copies of the above-identified registrations are annexed as **Exhibit 7**.

11. The above-identified registrations are valid and in full force and effect. Indeed, affidavits have been filed and accepted pursuant to sections 8 and 15 of the Lanham Act for Registration Nos. 1,078,312 and 1,114,431 rendering such registrations incontestable.

12. Opposer is also the owner, by assignment, of numerous apple-related trademarks and the goodwill associated therewith, and the associated trademark registrations, previously owned by Apple Corps Limited ("Apple Corps"). Under the agreement between Apple and Apple Corps, Apple now owns all of Apple Corps' trademarks related to "Apple" and licenses certain of those trademarks back to Apple Corps for Apple Corps' use. These trademarks consist of the word APPLE and visual equivalents of the word, to wit logos depicting apples, such as the four shown below:



(collectively the “Apple Corps Logos”).

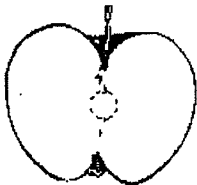
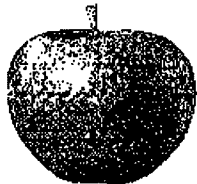
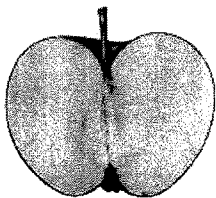
13. Since at least as early as 1968, Opposer, including through its predecessor Apple Corps, has extensively promoted, marketed, advertised, distributed and sold goods and services in connection with this family of APPLE word marks and Apple Corps Logos (collectively “Opposer’s Apple Corps Marks”), including, without limitation, sound recordings featuring The Beatles and James Taylor among other music legends.

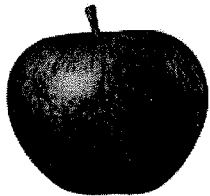
14. Opposer’s Apple Corps Marks have achieved an extraordinary level of fame and consumer recognition. As a result of Opposer’s and/or its predecessor’s extensive advertising, promotion and use of Opposer’s Apple Corps Marks in connection with a variety of goods and services, including, without limitation, audio and visual recordings relating to music, entertainment and film, musical videos, video records featuring performances, downloadable musical sound and video recordings, and downloadable sound and video records featuring or relating to music, entertainment and films, Opposer’s Apple Corps Marks have acquired enormous goodwill and have come to be immediately identified with goods and services originating from Opposer or, formerly, its predecessor.

15. Opposer’s Apple Corps Marks are famous under the Lanham Act, specifically 15 U.S.C. §1125 *et seq.* The extraordinary level of fame and consumer recognition that Opposer’s Apple Corps Marks currently enjoy cannot be seriously disputed. As a result of Opposer’s and/or its predecessor’s extensive advertising and use of Opposer’s Apple Corps Marks,

Opposer's Apple Corps Marks have acquired extensive goodwill and have come to be immediately identified with goods and services originating from Opposer or its predecessor.

16. Opposer is the owner, by assignment, of United States Registrations on the Principal Register for Opposer's Apple Corps Marks, including, without limitation, the following registrations:

TRADEMARK	REG. NO.	FILING DATE/ REG. DATE	GOODS/SERVICES
APPLE	2,034,964	June 26, 1995 February 4, 1997	Class 9: gramophone records featuring music; pre-recorded audio tape cassettes featuring music; audio compact discs featuring music; pre-recorded video tape cassettes featuring music
	2,036,537	June 26, 1995 February 11, 1997	Class 9: gramophone records featuring music; pre-recorded audio compact discs featuring music.
	2,041,653	June 26, 1995 March 4, 1997	Class 9: gramophone records featuring music; pre-recorded audio tape cassettes featuring music; audio compact discs featuring music; pre-recorded video tape cassettes featuring music.
	3,200,354	June 4, 2004 January 23, 2007	Class 9: Musical sound recordings; sound recordings featuring entertainment, music, musicians, documentaries, biographies, interviews, performances, reviews, historical narratives, drama and fiction; musical video recordings; musical cinematographic films; video records and cinematographic films featuring entertainment, music, musicians, caricatures, cartoons, animation, television programs, documentaries, film excerpts, biographies, interviews, performances, reviews, historical narratives, drama and fiction; sound recordings, video records, cinematographic films, namely, television programs, motion pictures, audio visual records and audio video film footage for television and other transmission; audio and visual recordings featuring or relating to music, entertainment and films; pre-

			recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records featuring music, entertainment and cinematographic films; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films
	3,221,275	June 4, 2004 March 27, 2007	Class 9: Musical sound recordings; sound recordings featuring entertainment, music, musicians, documentaries, biographies, interviews, performances, reviews, historical narratives, drama and fiction; musical video recordings; musical cinematographic films; video records and cinematographic films featuring entertainment, music, musicians, caricatures, cartoons, animation, television programs, documentaries, film excerpts, biographies, interviews, performances, reviews, historical narratives, drama and fiction; sound recordings, video records, cinematographic films, namely, television programs, motion pictures, audio visual records and audio video film footage for television and other transmission; audio and visual recordings featuring or relating to music, entertainment and films; pre-recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records featuring music, entertainment and cinematographic films; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films.
APPLE	3,317,089	June 4, 2004 October 23, 2007	Class 9: Musical sound records; sound records featuring entertainment; sound records featuring music, musicians, documentaries, biographies, interviews, performances, reviews, drama and fiction; musical video records; video records featuring entertainment; video records featuring music, musicians, caricatures, cartoons, animation, documentaries, biographies, interviews, performances, reviews, drama and fiction; cinematographic films; musical

			sound recordings; musical video recordings; audio and visual recordings featuring or relating to music, entertainment and films; pre-recorded compact discs, audio tapes, gramophone records, video tapes, video discs, DVDs, CD-ROMs and interactive compact discs, all featuring or relating to music and films; digitally recorded sound and video records; downloadable musical sound and video records; downloadable sound and video records featuring or relating to music, entertainment and films
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Copies of the above-identified registrations are annexed as **Exhibit 8**.

17. Registration Nos. 2,034,964, 2,036,537, 2,041,653 and 3,200,354 were assigned from Apple Corps Limited to Apple Inc. and recorded with the United States Patent and Trademark Office on April 5, 2007 under Reel 3516 and Frame 0288. A copy of the Trademark Assignment Details extract from the United States Patent and Trademark Office Assignment Division online database evidencing the assignment recordal is annexed as **Exhibit 9**. Registration No. 3,221,275 was assigned from Apple Corps Limited to Apple Inc. and recorded with the United States Patent and Trademark Office on May 24, 2007 under Reel 3549 and Frame 0043. A copy of the Trademark Assignment Details extract from the United States Patent and Trademark Office Assignment Division online database evidencing the assignment recordal is annexed as **Exhibit 10**. Registration No. 3,317,089 was assigned from Apple Corps Limited to Apple Inc. and recorded with the United States Patent and Trademark Office on January 7, 2008 under Reel 3691 and Frame 0084. A copy of the Trademark Assignment Details extract from the United States Patent and Trademark Office Assignment Division online database evidencing the assignment recordal is annexed as **Exhibit 11**.

18. The above-identified registrations are valid and in full force and effect. Indeed, affidavits have been filed and accepted pursuant to sections 8 and 15 of the Lanham Act for Registration Nos. 2,034,964, 2,036,537 and 2,041,653 rendering such registrations incontestable.

19. Notwithstanding Opposer's prior rights, on April 11, 2007, applicant Ernest Owens dba Applejazz ("Applicant") filed Application Serial No. 77/239,699 for "entertainment in the nature of live performances by a musician; entertainment, namely, live music concerts" in International Class 41 for the mark APPLEJAZZ (the "APPLEJAZZ Mark").

20. Opposer obtained extensions of time to oppose the instant application and is timely filing this Notice of Opposition within such extended periods.

21. Applicant's Mark prominently features the word mark APPLE. Similarly, Opposer's APPLE Marks and Apple Corps Marks famously evoke an apple.

22. The services cited by Applicant in International Class 41 under Applicant's Mark are identical, or highly related, to goods and services Opposer has long offered in connection with its APPLE Marks and Apple Corps Marks.

23. Accordingly, Applicant's Mark so closely resemble Opposer's APPLE Marks and Apple Corps Marks that Applicant's use of Applicant's Mark is likely to cause confusion, mistake or deception in the minds of consumers as to the origin or source of Applicant's services in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer and the public.

24. Additionally, registration of Applicant's Mark is likely to cause dilution of the distinctiveness of Opposer's APPLE Marks and Apple Corps Marks by eroding consumers' exclusive identification of Opposer's APPLE Marks and Apple Corps Marks with Opposer, and otherwise lessening the capacity of Opposer's APPLE Marks and Apple Corps Marks to identify and distinguish the goods and services of Opposer, in violation of Section 43(c)(1) of the Lanham Act, 15 U.S.C. § 1125(c)(1).

25. If Applicant is permitted to register Applicant's Mark, as specified in the application herein opposed, consumer confusion resulting in damage and injury to Opposer would be caused and would result by reason of the similarity between Applicant's Mark and Opposer's APPLE Marks and Apple Corps Marks. Persons familiar with Opposer's APPLE Marks and Apple Corps Marks would be likely to purchase Applicant's services as and for services associated with Opposer. Furthermore, any defect, objection or fault found with Applicant's services marketed under Applicant's Mark would necessarily reflect upon and seriously injure the reputation which the Opposer has established for its goods and services.

26. There is no issue as to priority. Opposer began using Opposer's APPLE Marks in commerce since at least as early as 1977, well prior to June 2000, the date on which Applicant claims its date of first use.

27. If Applicant is granted the registrations herein opposed, it would thereby obtain a *prima facie* exclusive right to the use of Applicant's Mark. Such registrations would be a source of damage and injury to Opposer.

**WHEREFORE**, Opposer requests that this opposition be sustained and that the registration of Application Serial No. 77/239,699 be denied.

The opposition fee in the amount of \$300 for an opposition in one class is filed herewith. If for any reason this amount is insufficient, it is requested that Opposer's attorneys' Deposit Account No. 11-0860 be charged with any deficiency. This paper is filed electronically.

Dated: New York, New York  
July 14, 2008

Respectfully submitted,

**KILPATRICK STOCKTON LLP**

By: 

Joseph Petersen

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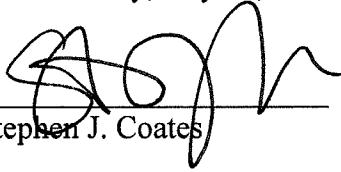
Facsimile: (212) 775-8800

*Attorneys for Opposer Apple Inc.*



**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION is being  
filed electronically with the TTAB via ESTTA on this day, July 14, 2008.

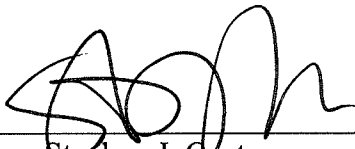
  
\_\_\_\_\_  
Stephen J. Coates

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing NOTICE OF OPPOSITION has been served on Applicant by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Brian Price, Esq.  
Hale and Dorr Legal Services Center  
122 Boylston Street  
Jamaica Plain, MA 02130-2250

This the 14 day of July, 2008.

  
\_\_\_\_\_  
Stephen J. Coates

# **Exhibit 1**

**The Harris Poll® #71, July 17, 2007****Coca Cola On Top For First Time In Annual 'Best Brands' Harris Poll*****After Seven Years At Number One, Sony Drops To Second***

Coca Cola continues its rise as it moves into the top position of the annual Harris Poll of "best brands" for the first time and rises from No. 3 last year. Sony, which had been in the top position for seven straight years, drops one spot to No. 2, while Toyota, previously in the fourth position, moves up to No. 3. Dell, which had been in the second spot last year drops two spots to No. 4 this year.

These are some of the results of a nationwide Harris Poll of 2,372 U.S. adults surveyed online by Harris Interactive® between June 5 and 11, 2007. Survey responses were unaided and a list of brand names was not presented to respondents. The results from this survey cannot be compared to results of the Harris Interactive 2007 EquiTrend Brand Study results, as the methodologies for the surveys differ.

The other places on the top-10 list of best brands are taken by Ford (No. 5), Kraft Foods (No. 6), Pepsi Cola (No. 7), Microsoft (No. 8), Apple (No. 9) and Honda (No. 10). Two brands dropped out of this list this year, Hewlett Packard (was No. 7) and General Electric (No. 8).

"Top of mind association with being "best" is a good position for any brand," said Robert Fronk, Senior Vice President, Brand and Strategy Consulting, Harris Interactive. "For a truly successful brand relationship though, the objective is not just awareness, but to foster the ongoing process and outcome of brand engagement, which requires more custom and sophisticated measures based upon the interaction of the brand and its desired audience."

**Analysis By Industry**

Three industries are represented on this year's list. Four of the companies are from the Electronics industry, while three are each from Autos and Consumer and Package Goods.

**Changes Since Last Year**

Most of the brands in this year's Top 10 list have not moved up or down substantially. The most notable changes are Honda, falling from No. 6 to No. 10 and Kraft Foods which rose from No. 9 to No. 6.

**A Decade Ago...**

One interesting thing to note is the changes from 1997 and what a difference ten years makes. Only four of this year's top ten brands were on the list back then: Ford (which was No. 1), Sony (which was No. 3), Coca-Cola (which was No. 7) and Pepsi Cola (which was No. 10).

**TABLE 1****BEST BRANDS**

"We would like you to think about brands or names of products and services you know. Considering everything, which three brands do you consider the best?"

*(All three replies combined)*

[Sign-up for Harris](#)[About The Harris](#)[The Harris Poll by](#)[▶ 2008](#)[▶ 2007](#)[▶ 2006](#)[▶ 2005](#)[Search The Harris](#)[News Room](#)

Base: All Adults

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Coca-Cola	*	8	7	7	*	*	6	5	7	2	4	3	1
Sony	3	1	3	1	2	1	1	1	1	1	1	1	2
Toyota	*	=10	*	6	=6	=7	4	*	*	5	6	4	3
Dell	*	*	*	*	*	5	*	2	3	3	2	2	4
Ford	2	3	1	3	1	4	2	3	6	6	5	5	5
Kraft Foods	*	*	*	*	*	*	*	4	2	4	3	9	6
Pepsi Cola	*	*	10	*	*	*	*	7	=10	*	*	*	7
Microsoft	*	*	*	=8	8	*	7	*	5	*	=10	*	8
Apple	*	*	*	*	*	*	*	*	*	*	*	10	9
Honda	*	*	*	*	*	*	*	9	*	7	=7	6	10

Note: These are spontaneous replies. Respondents are not read or shown a list of brand names.

\* Not in Top 10.

= Indicates a tie.

#### BRANDS THAT DROPPED OUT OF TOP-10 THIS YEAR

Hewlett Packard (was No. 7) and General Electric (was No. 8)

TABLE 2

#### NUMBER OF INDUSTRIES REPRESENTED IN THE TOP-TEN LIST

	2001	2002	2003	2004	2005	2006	2007
Electronics*	5	3	4	3	5	5	4
Automobiles	3	3	2	4	4	3	3
Consumer & packaged goods	2	3	4	3	2	2	3

\* Includes Microsoft

#### Methodology

This Harris Poll® was conducted online within the United States between June 5 and 11, 2007 among 2,372 adults. Figures for age, sex, race/ethnicity, education, region and household income were weighted where necessary to bring them into line with their actual proportions in the population. Propensity score weighting was also used to adjust for respondents' propensity to be online.

All sample surveys and polls, whether or not they use probability sampling, are subject to multiple sources of error which are most often not possible to quantify or estimate, including sampling error, coverage error, error associated with nonresponse, error associated with question wording and response options, and post-survey weighting and adjustments. Therefore, Harris Interactive avoids the words "margin of error" as they are misleading. All that can be calculated are different possible sampling errors with different probabilities for pure, unweighted, random samples with 100% response rates. These are only theoretical because no published polls come close to this ideal.

Respondents for this survey were selected from among those who have agreed to participate in Harris Interactive surveys. The data have been weighted to reflect the composition of the adult population. Because the sample is based on those who agreed to participate in the Harris Interactive panel, no estimates of theoretical sampling error can be calculated.

***These statements conform to the principles of disclosure of the National Council on Public Polls.***

J 30887

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## **Exhibit 2**



The world's only online exchange about branding, produced by Interbrand

## **Apple Shines: 2001 Readers' Choice Award Results**

By Robin D. Rusch

Brandchannel's 2001 Readers' Choice survey conducted by brandchannel.com and rated by our discerning readers yielded some surprising results – not the least of which placed quirky brands like Apple, Nokia, Volkswagen, Target, Krispy Kreme, Hello Kitty and Google.com, at the top of the pile.

### **Methodology & Background**

At the end of last year, we invited our readers to vote for what brands should receive Brandchannel's 2001 Readers' Choice Awards, in the first of an ongoing annual tracking survey to rate the effectiveness of branding strategies.

To focus the survey, a preliminary list was devised of qualifying brands in each of five areas. The final list comprised 155 global brands, 125 European & African brands, 107 US & Canadian brands, 68 Asian-Pacific brands, and 28 Latin American brands. The list was compiled after querying a select group of international industry experts on their top 10 brands for 2001.

Readers could vote for up to five brands per region. We received a total of 2205 completes from November 15, 2001, to December 31, 2001.

For the purposes of the survey, we defined potential Readers' Choice Award-winning brands as those that had the most impact on our lives in 2001. That is, Brandchannel's Readers' Choice Award winners are not necessarily the biggest or the ones with the most revenue – they are the ones that makes us stand up and take notice. The responses certainly made us stand up and take notice as, surprisingly, immensely familiar brands like Nike and Coca-Cola did not make the top five choices.

### **Global Brand Ranking**

Winning Brandchannel's official 2001 Readers' Choice Award was Apple with 14% of the global vote. Nokia and Volkswagen tied at 12% followed by a tie between Google.com, Absolut and Starbucks (10%).

Each of these six brands has pioneered a strong consistent brand platform and gained a fiercely loyal customer base.

Of the six, California-based search engine Google.com, the relative newcomer among classics, is a rare success in the world of dot-coms; Google actually generated US\$ +60M in revenue according to *Wall Street Journal* estimates for 2001. The strength of the brand coupled with a money-making business plan makes it a standout in the dismal dot-com annals.



Headquartered in Cupertino, California, Apple's consistent attention to innovation can be seen in the dizzying release of such products as the new iMac, OS X, and the iPod. As two of our readers summed it up, "[Apple is] creative; keeps surprising the consumer," and "[it has] superior product and differentiation to the max."

Similarly, Nokia's pulse on consumer cravings has been staggeringly accurate. Although the industry leader's share price did not show a brilliant year relative to the previous decade, 2001 still saw a market capitalization that was only slightly below Finland's own gross domestic product (market cap of US\$ 111B/EUR 126B; *Financial Times*).

Another brand that clearly earned its ranking through an astonishing ability to fill a need is the Seattle, Washington-based Starbucks. The international rollout of Starbucks is only topped by the seemingly unending acceptance of the Starbucks experience from China to Kuwait. It's impressive; but not until the Italians start sipping a Starbucks "tall," can we truly concede the big bean has arrived.

Recognition for Absolut and Volkswagen is not surprising given their consistent genius when it comes to branding. Described by an Absolut spokesperson as "smart, stylish, creative and witty," the Stockholm-based Absolut brand has capitalized on those qualities to give its clear liquid personality while also trying to expand into new media. Meanwhile, favored innovator Volkswagen, headquartered in Wolfsburg, Germany, keeps the competition struggling with new product delights from quirky designs to high-tech diesels.

### Regional Rankings

In Europe and Africa, Nokia was received a regional Readers' Choice Award with 16% of the vote, followed closely by the Dutch-owned (Swedish in origin) Ikea (15%), and Absolut (14%). Fourth and fifth were the UK's entertainment, media and travel brand Virgin with 13%, and the Munich-based automaker BMW at 12%. Relative newcomers, Orange, whose parent company is France Telecom, and Austrian beverage Red Bull, which has garnered almost 70% of the worldwide energy drink market, both tied at 11%.

Choices in the US and Canada showed interesting results as well. According to our readers, the brand with the most impact in the US was Target (22%), a national discount retail chain. Positioned as up market from Wal-Mart and the ailing Kmart and on a par with Kohl's, Target's main appeal can be found in its promise to offer great price and value to shoppers.

Next in line for American and Canadian brands is Apple with 18% of the vote, followed by Winston-Salem, North Carolina-based doughnut maker, Krispy Kreme (14%) and Atlanta-based softdrink giant Coca-Cola at 13%. In a three way tie at 11% is Google.com, Starbucks, and Martha Stewart, the one-woman publishing, media, merchandising conglomerate based in New York City.

In Asia-Pacific, Japanese brands did very well with three brands among the top five. Tokyo-based Sony, the world's number two consumer electronics firm (after Matsushita), leads the pack at 37%, followed by Seoul-based Samsung at 19%, and at 18%, Toyota - Japan's top carmaker and the world's fourth by sales (after General Motors, Ford, and DaimlerChrysler).

Singapore Airlines, with stakes in Virgin Atlantic Airways and Air New Zealand, came in at 17%. Singapore Airlines is notable as one of the few airline brands to do well on our survey (although the New York-based carrier JetBlue came within the top ten choices).

for US/Canada brands). The Japanese brand Hello Kitty from Sanrio (Tokyo) and Australian guidebook series Lonely Planet tied at 15%.

In Latin America, beverage brands showed strong results with Mexico's Corona in first (35%), Argentina's Quilmes and Cuba's Bacardi tied for second (25%), and Chile's Concha y Toro in fourth (18%). Brazilian bank Itaú and Argentine candy manufacturer Arcor tied at third with 22%. Argentina's Pecom Energia (Perez Companc) takes up the number five position with 16% of the vote. The strong showing of Argentina's brands can only bring encouragement as many of them are currently facing the troubling effects of that country's devastated economy.

### Write-in Results and Comments

To compensate for human error on the part of brandchannel and open the floor completely to our well-informed readers, we invited readers to write in votes for any brands they did not see represented among the lists. In this capacity, we received over 600 write in votes, many which were too small in number to count.

Among the strong write in votes were Schaumburg, Illinois-based Motorola, the number two global manufacturer of mobile phones (behind Nokia), and American payment system Mastercard. Second only to Visa, Mastercard's plans for expansion include a merger with Europay, its European counterpart.

Also of interest among write-in votes were the amount of organizations and people tied to the September 11 attacks on the US. People such as Osama bin Laden, George Bush, and former New York City Mayor Rudy Giuliani and organizations/places such as the media outlet Al Jazeera, the Fire Department of New York, and the city of New York itself rated strongly among write-in responses. Many of these were accompanied by carefully worded comments justifying the choice based not on whether the voter agreed or disagreed with the actions, but rather on the criteria set out by the original guidelines: "the brand that had the most impact on your world in 2001."

### Voter Profile

Brandchannel's viewership resides in over 90 countries and comprises a complete spread across levels and disciplines. The following profile is based on self-reported information volunteered from 75% of our readers.

Fifteen percent of brandchannel readers comprise the highest echelons of business from CEOs and Chairmen to Managing Directors and Senior Vice Presidents. Twelve percent work directly in marketing-communications, with titles such as Marketing Director and CMO; an equal number (12%) serve as Account Managers or Client Service Directors. Nine percent are brand strategists, consultants, planners, or analysts. Seven percent make up the design community, and eight percent are involved in academia, either as students or professors.

[4-Mar-2002]

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*Brandchannel will be conducting 2002 Readers' Choice Awards. For those wishing to participate in the initial drafting of a shortlist this autumn, please **email us** with a brief description of your expertise and regional background, and you will be added to the contact list.*

*For those who wonder how they could improve their branding to reach greatness, please read our article on What Makes a Brand Great.*

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**brandchannel.com**

The world's only online exchange about branding, produced by Interbrand

## Google Ranks First: 2002 Readers' Choice Award Results

By Robin D. Rusch

Which brand had the most impact on your life in 2002? Brandchannel's second annual Readers' Choice Award results are in, and this year's winners include Google, Nokia, Target, LG Electronics, and Corona.

### Global: Infinite Reach

Superhero search engine Google leads the global choice among 1,315 respondents with 15 percent of the vote, climbing to the top from last year's fourth place position.

What's so special about Google that it was chosen for the worldwide 2002 Readers' Choice Award? Perhaps because it is absolutely *the* tool of the moment to make the best use of the Internet (the other perfect tool of our day). Started by a couple of techies, Google is kind enough to hide its high-tech interior from the public and give us nothing but a friendly, easy to use, clear, clean exterior.

Google is also an up-to-date chronicle of our own obsessions. For instance, the fact that "job search" was one of the top ten rising search queries on Google in January is not surprising, but would you believe that hassled little Isla Perejil was among the top ten news queries of last year? Or would you have guessed that Ronaldo and Zidane couldn't outscore David Beckham for top sports names Googled in 2002? And what about the use of the verb "to Google," which has swept into our everyday conversation so rapidly? Google has become indispensable in such a short period of time, by focusing on what it does well -- returning likely results on a search query. Will it avoid the temptation to branch out to the portal market like Yahoo! and MSN? Next year's Readers' Choice Award survey will reveal how well Google continues to handle its brand.

Not far behind Google with 14 percent of the vote is Apple (2001 Readers' Choice Award winner). Beloved by a small but vocal contingency, Apple has an overall market share of less than 3 percent worldwide and less than 5 percent in the US, its "strongest" market. Nevertheless its steady array of new product releases and cheeky David-to-Goliath positioning makes it hard not to notice and perhaps explains why our readers tend to favor it.

Caffeinated treats Coca-Cola and Starbucks are third (12 percent) and fourth (11 percent) with furnishings retailer Ikea setting up home at fifth place with 10 percent of the readers' global vote.

### US & Canada: Bull's-eye

In the United States and Canada, Target takes the lead with 19 percent of the vote based on 1,983 respondents in this section. Apple follows close behind at 18 percent, showing a similar trend to the 2001 results where Target took top prize and Apple pulled in second. North Americans clearly have strong feelings about their coffee and doughnuts as retail coffee house Starbucks and doughnut joint Krispy Kreme received 13 and 12 percent of the vote respectively; both of these brands have been tirelessly expanding to bring a hot steaming cup of coffee and a freshly glazed doughnut to an outpost near you. Tying with Krispy Kreme is the fashionably cheap New York-based airline, JetBlue.

Target, Apple, Starbucks and Krispy Kreme were all in the top ten US and Canada category last year, and their continued impact is not surprising given that they are all brands that are expanding and innovating on a regular basis. However, JetBlue's rise from 11th place in 2001 to tie at fourth place in 2002 is evidence of fast-growing interest in this three-year-old brand. Proving that cheap doesn't necessarily mean nasty, JetBlue offers leather seats, personal TV units, efficient ticketing, on-time arrival and departure and above all, excellent customer service. After 2002's abysmal showing for commercial airlines, it's astonishing that JetBlue's revenue grew by 98 percent.

Coca-Cola, among last year's top five winners, slips down to number seven in 2002, contrary to its rise in the global section where it rose from tenth to third.

### **Europe & Africa: Connected**

Finnish cell phone brand Nokia earns top spot for Europe and Africa again this year with 19 percent of the regional vote among 1,290 respondents. With 40 percent of the worldwide cell phone market, Nokia's "closest" competition in this field is Motorola with 14 percent of the market followed by Samsung with 11 percent; former nemesis Ericsson (5 percent) appears to be left on hold.

Dutch-owned, Scandinavian-style furniture retailer Ikea also maintains its position from 2001 placing second in 2002 at 16 percent. Present in over 30 countries, Ikea's reasonably priced but stylish wares have managed to remain fresh throughout decades of decorating homes.

Mini's relaunch earns it third place at 15 percent, eclipsing its parent BMW (at 12 percent). Swedish brand Absolut slipped two places from last year to fifth place with 12 percent of the Europe/Africa vote.

Previous top five placeholder Virgin lands hard at fourteenth place for 2002. This is a little surprising since the goal was to choose the brand with the most *impact* in 2002. One imagines that the debacle Virgin faced at home with its foray into the recently privatized British rail system qualified as quite an impact on commuters.

### **Asia-Pacific: Plugged In**

Electronics top the list for Asia-Pacific brands in 2002 with technology and entertainment brands from South Korea and Japan taking the first four positions. Among 800 voters in this region, 24 percent chose the South Korean brand LG Electronics as the Asia-Pacific brand with the most impact in 2002. Founded in 1958, LG (formerly Goldstar) was among the brands leading Korea's technology revolution and has continued to dominate the electronics market ever since. LG Electronics' stated goals for 2005 are to become a global leader, become synonymous with customer service and improve internal brand alignment; based on the impact it's had on our readers, it appears to be heading toward achieving those goals.

LG's local Korean competitor Samsung placed second with 22 percent of the vote. This

electronic brand's recent attention to innovative design and improved quality with consumer products, like phones, TVs, PDAs, and audio devices, contributes to its strong standing among Asian brands.

Following Samsung is Sony's PlayStation at 19 percent and Sony Ericsson at 18 percent. These two high-rankers demonstrate Sony's presence in the region, which is not surprising given Sony's overall position as second in the world for consumer electronics market share (behind Matsushita). Swedish firm Ericsson, which began to lose the battle with Nokia and Motorola for ear-share, is clearly benefiting from its east meets west association with Japan's Sony, although the venture has so far not generated profits.

Bringing up the rear of the top five brands for Asia-Pacific is Japan's top automaker Toyota (16 percent), which may just steer the future with its increasingly popular gas-electric hybrid car, Prius.

Last year's top 5 winners, Singapore Airlines and Hello Kitty slipped to sixth and 11th place respectively in 2002.

#### **Latin America: Proof**

Beverages rated high on the Latin American brands list. Corona, owned by Grupo Modelo SA, takes the crown with 31 percent of the vote from among 406 voters for this section. Cuban rum brand Bacardi brings in 28 percent, followed by coffee brand Café de Colombia at 17 percent and Mexican baker Bimbo rises to join the top four with 11 percent. Brazilian airline Varig arrives fifth with just over ten percent.

#### **Details: What, How, Who**

For the purposes of brandchannel's Readers' Choice Award survey, we asked respondents to make their choices based on the brands that had the most impact on their lives in 2002. Impact can be positive or negative; similarly the brand can be on the road to ruin, the cusp of collapse, the brink of bankruptcy, or some other awful alliteration and still qualify as having an impact (for instance, ex-energy company Enron got 3 percent of the US/Canada vote).

The most important thing about qualifying as a brand of the year is that you noticed it in 2002. This will explain the highly visible personalities and organizations that were submitted as write-in votes including David Beckham, Jennifer Lopez, Kylie Minogue, Iraq, al Jazeera, and al Qaeda.

The survey was hosted online at brandchannel.com during November and December of 2002. Readers were allowed to vote once for each region and complete the demographics section once. No section of the survey was mandatory, which explains the varying response rates by region. Respondents from 72 countries participated in the survey; the strongest age group was 26 to 35 with nearly a third as many women as men participating overall.

The brandchannel readership overall comprises an above-average, intelligent group of professionals and students from over 90 countries and a range of industries who are interested in issues involving branding.

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*Brandchannel will be conducting a 2003 Readers' Choice Award survey. For those wishing to participate in the initial drafting of a shortlist this autumn, please **email us***

*with a brief description of your expertise and regional background, and you will be added to the contact list.*

[10-Feb-2003]

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**Robin D. Rusch** is Editor-in-Chief of Brandchannel.

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The world's only online exchange about branding, produced by Interbrand

## Google Gets Lucky: 2003 Readers' Choice Award Results

By Robin D. Rusch

What brands had the greatest impact on our lives in 2003? Over 4,000 people from more than 85 countries chose the brands that touched their lives in 2003 for our annual Readers' Choice awards.

### Global: Feeling Lucky

Brandchannel's 2003 Readers' Choice Award goes to Google, which narrowly beat out Apple for the second year in the row as the brand that had the most impact on our readers in 2003.

Expanding operations and influence, the privately held company enjoyed an estimated US\$ 900 million from sales last year and intends to IPO in 2004. But as Google seeks to make a profit from affiliations and AdSense sales, there are a number of threats that must be keeping the pointy heads awake at night.

At some point this year, present partner Yahoo intends to finish overhauling its Inktomi technology and go solo as a competitor against Google. It's impossible to guess the impact at this point, but estimates are that Google currently powers 80 percent of all Internet searches; the loss of Yahoo will lower that figure to around 55 percent.

Pranks such as Google bombing (where users can manipulate results through organized efforts) and general criticism of being "gamed" or "Google washed" threaten the perceived legitimacy of Google's service. It may start as a few cranky pundits but egg tossing is a sign that the brand is moving from something unique and treasured to something mainstream and open to closer scrutiny.

The next two years will be interesting for the search engine. Up till this point Google's strengths have been to offer the user a clean friendly but credible path to accessing the tremendous wealth of the Internet. As it goes public, the brand managers should concentrate on protecting these qualities. If it can maintain its reputation as an expert search engine, it will join the ranks of exceptional brands like Apple, where consumer loyalty ranges on fanatical.

Speaking of Apple, the American technology brand received second place on the global ranking. Loyal readers will remember that Apple was the number one Readers' Choice in 2001. In 2002, it fell to second position behind Google, but its continued presence at the top of the list is the result of consistent attention to wowing the world on an ongoing basis.



Apple products and services span many different facets of our lifestyles from work to play and include the iPod mini, iTunes, Xserve, iChat AV, iSight, and iCal. The brand makes beautiful, compelling product but then somehow loses its foothold against sub-par product from brands like Microsoft.

Third place finisher automaker MINI is a surprise new entrant into the top five, revving up from last year's eleventh place finish and knocking third place holder Coca-Cola into fourth. The nostalgia factor coupled with modern day capability and comfort helps MINI in traditional markets such as Europe; in new markets like North America, the little car delights consumers with an alternative to the trend toward parking lot size vehicles currently crowding the roads.

Equally impressive, Samsung shot into the top five from a twelfth place finish in 2002 and 49th in 2001 to finish fifth, behind Coca-Cola, in 2003. This is vindication for a brand that has poured a lot of resources into improving the quality, scope and distribution of its product on the world stage. It beat out Sony (ninth) in the global rankings but came in second behind the Japanese consumer electronic giant in the Asia-Pacific regional ranking.

Brandchannel's 2003 Readers' Choice Award regional results were equally revealing of the efforts of highly visible brands in 2003. Click [here](#) to view a complete chart of the winners.

#### **US & Canada: Apple Followed by Coffee and a Donut**

Apple finally inched past American cheap-chic retailer Target for the first time to claim the number one spot for US and Canadian brands.

First place winner in 2002 and 2001 for US & Canada brands, Target dropped down to second place followed by Google, American coffee retailer Starbucks and American donut maker Krispy Kreme topping out the first five rankings.

Two new entrants in the top ten for US & Canada are animation studio and now-former Disney collaborator Pixar in eighth (Disney ranked 18th), up from 31st in 2002, and online auctioneers eBay in tenth position up from 13th in 2002.

#### **Europe & Africa: Football and Furniture**

For the first time since 2001, Nokia lost its first place ranking and slipped to third behind frontrunner Swedish retailer Ikea and surprise second place finisher British airline Virgin, which came in 15th in last year's ranking.

MINI fell back to fourth place from last year's third place finish in Europe & Africa, while its parent company BMW pulled in close behind at fifth place (down from last year's fourth place).

Other surprise finishers in the top ten are not-for-profit Spanish football club and European Cup winners (1998, 2000 and 2002) Real Madrid, Italian clothing brand Diesel and German sporting goods brand Puma.

#### **Asia-Pacific: Wired and Driven**

Japanese brand Sony beat out competitors Samsung (second place) and LG (fourth) to take the top spot for Asia-Pacific. While Sony has long enjoyed a leadership position as the number one consumer electronics maker in the world, Samsung and LG have recently shown tremendous gains on the brand, threatening its reputation as *the* brand for innovation. The fierce competition of these three brands means consumers have fantastic choices as all three electronic manufacturers stretch the limits of technology and ideas.

Nestled in between the electronic competitors at number three is Japanese automotive brand Toyota. Toyota had a great year in 2003. It is now second only to General Motors in auto sales worldwide but it leads the world's automakers in profitability.

Singapore Airlines pulls up at fifth place with Australian publishers Lonely Planet, Australian airline Virgin Blue, Japanese automaker Honda, Asian bank HSBC (UK owned) and Japanese automaker Mazda rounding out the top ten.

### **Latin America: Building the Brand**

Cemex, the third largest cement company in the world, placed first among our readers in the Latin America section. Adept at using technology to manufacture and distribute a commodity, Cemex has been careful to manage its brand on all fronts and across acquisitions. Operating in over 30 countries with clients in twice as many countries, the Mexican brand's influence has spread through acquisitions, but its foundation may be rather shaky. As one of Mexico's largest corporate debtors, Cemex is US\$ 5.7 billion in debt.

In second place with less than half Cemex's score is Mexican beer brand Corona from Grupo Modelo, followed closely by the Cuban liquor brand Bacardi (headquartered in Bermuda). Mexican bakery giant Bimbo did not rise or fall but rather remained in fourth place from last year's ranking. The national federation of coffee growers Café de Colombia chased down the baked goods brand at number five, while Mexican airline AeroMéxico and Brazilian bank Itaú both broke into the top ten from last year's 13th and 15th placements.

### **Details: What, Who, When, How**

Brandchannel's annual Readers' Choice Award survey is a chance to recognize the brands that have the most impact on our lives each year.

A total of 4,010 people from 85 countries voted in our 2003 Readers' Choice Award survey, which was conducted online from November through December 2003.

There is no questionnaire involved in this study. Readers are simply asked to choose up to five brands per region that had the most impact on them in 2003; impact can be positive or negative. A shortlist of brands for each region is provided but readers are given the choice to write in a vote if they do not see their brand on the list.

The shortlist of brands is compiled a week before the survey based on brands that were highly visible that year. Write in votes carry the equal weight of a selected brand from the list *unless* the brand is already listed in the shortlist, in which case we accept up to 10 write ins for one brand.

Voters are allowed to vote for up to five brands per region and complete the demographics section once. No section of the survey was mandatory, which explains the varying response rates by region. Respondents per region equal: 4,010 for global, 1,942 for US & Canada, 1,804 for Europe & Africa, 1,267 for Asia-Pacific, and 1,100 for Latin America.

After submitting their brand choices, voters receive a "cookie," which signals that they have already voted in that region and cannot vote again.

Voting was open to anyone with an Internet connection. Rankings are compiled purely on the basis of readers' choices. We do not influence the results through weighting,

sampling or even cheating.

Our readers are interested in brands and branding. They are online and therefore presumably familiar with technology. And of course, they are above average in intelligence and curiosity.

Nearly half as many women voted as men, with the strongest group of voters falling in the age range of 20 to 45 years old.

Previous year results are equally fascinating. Access 2002 and 2001 view the charts of this year and previous years' surveys.

*Brandchannel will be conducting a similar survey for 2004. For those wishing to participate in the initial drafting of a shortlist in the autumn of 2004, please email us with a brief description of your expertise and regional background, and you will be contacted in September/October of 2004.*

[2-Feb-2004]

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**Robin D. Rusch** is Editor-in-Chief of Brandchannel.

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## Readers Pick Apple: 2004 Readers' Choice Awards

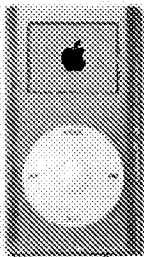
By Robin D. Rusch

As I sit on my Drömminge, listening to my iPod, drinking mocha Frappuccino, trying to Google information on Iraq's elections from Al Jazeera, I'm all set to tell you the results of brandchannel's Readers' Choice Awards for brands with the most impact in 2004.

### Global: Apple bites big

After a two-year hiatus **Apple** has returned to win the 2004 Readers' Choice Awards for the brand with the most global impact—a title held by Google since 2002.

It's hard to imagine a brand having a shinier year than Apple. Notably punctuated with iMacs, iPods and iTunes, Apple's 2004 presence was felt in the press, in ads and on the streets, with iPod coming to define the word "ubiquitous." Coupled with strong revenue, Apple reported a net profit of US\$ 295 million in the last quarter of 2004 alone and a 2004 overall net income growth of 300 percent. Yes, 300 percent.



At Apple's core is great innovation, beautiful design and an ability to bring warmth and passion to those who may be completely incurious about technical gadgetry but need it nonetheless to survive in today's world.

From U2 to "You too?," the iPod alone sold 4.6 million units in the last quarter, practically doubling sales since its launch. (There are now about 10 million pod-addicts on the planet.) Meanwhile, iMac sales tripled as Apple's overall computer sales rose by 26 percent over 2003 sales. Music division iTunes became the blueprint for Napster-alternative online music sales. And swanky retail outlets gave Apple enthusiasts a chance to worship or interact directly with the company as well as each other.

However, Apple's cultural symbolism was not economically symbiotic. Its worldwide computer market share dropped to less than two percent in 2004 to a 1.87 percent share in Q3 of 2004 (down from 2.19% in Q3 2003). The 2004 world leader for market share was Dell at 18 percent, followed by HP at 16 percent and IBM with 6 percent. The small white hope is that iPod's halo effect will bring more buyers to Apple's other offerings, which go beyond consumer goods to include servers, WiFi, and software, and include the already-backordered new iPod Shuffle and a sub-US\$ 500 Mac.

**Google**

Not far behind Apple, and equally appealing to those navigating a potentially complicated technical landscape, is **Google**.

The world's number one search engine, Google's impact on our

readers reflects the online public's growing dependence on sorting through an incomprehensible amount of available information. On our screens, its minimalist design betrays its maximal capacity. But Google does more, including technology licensing and hardware, news aggregating and shopping (Froogle). According to the company, 95 percent of revenue comes from AdSense advertising.

Google lost little ground in being dumped as the search engine behind Yahoo early last year; it conducts more than 200 million searches a day and leads the world for search engine usage with 57 percent of the current market, followed by Yahoo at 21 percent and MSN at just 9 percent.

Largely based on functional attributes, which offer clarity in a complex field, Google is by no means invincible. It faces competition on many fronts including Yahoo's Overture search engine and other solutions like Vivisimo's Clusty, and MSN Desktop Search, all of which hope to build a better mousetrap.

From the public's perspective, Google's unique approach to life's little issues was on display as it went public in 2004, seeking to do so largely on its own terms. The same strong arm can be felt in the pretzel twisting exercise webmasters are submitted to when trying to meet the company's keyword ranking guidelines. However as long as the brand is on top, it gets to call the rules.

The upside to Google's future? Only 12.7 percent of the world population has access to the Internet, leaving 5.6 billion potential future users.

From tech to retail, numbers three and four on the Global list are, respectively, Swedish furniture retailer **IKEA** and American coffee brand **Starbucks**. Surprisingly similar despite product differences, both benefit from having highly branded retail spaces that quickly generate publicity and awareness.

Both IKEA and Starbucks expanded in 2004. IKEA opened ten more stores in 2004 and has staked out 20 new locations for 2005.

Starbucks opened 1,344 new spaces in the first three quarters of 2004, to bring its global total to 8,569 in more than 30 countries. The hyper-cafeinated brand intends to expand to 15,000 US stores and 15,000 international stores. Although the expansion's timeframe is unclear, consider that the retailer opened roughly 3.5 stores every day in 2004.



Starbucks is not without competition, particularly beyond US shores. Pretty much any venue brewing quality coffee and offering ambiance can rival the barista. However Starbucks benefits from high brand awareness, an efficiency of size and operating on the McDonald's principle of "safety in the known."

Rounding out the top five 2004 Global Brands is a surprise winner: the Arab-focused, 24-hour news source **Al Jazeera**. Based in Qatar and offering an alternative to BBC or CNN, Al Jazeera has over 35 million viewers (overwhelmingly Muslim) and 30 bureaus worldwide. As the issues of 2004 hovered heavily around the Middle East and Islamic populations, Al Jazeera's relevancy soared.

Though suffering difficulties such as banned reporters, advertising boycotts, and charges of bias (arguably stemming from those who are themselves biased toward European and American interests), Al Jazeera is viewed as relatively independent within its region and is increasingly gaining mainstream credibility beyond its borders. The company itself claims to "cover all viewpoints with objectivity integrity and balance."

Already offering news in English at English.AJazeera.net, the media source is planning to offer an English channel satellite service in 2005.

Other brands in the top ten are previous year mainstays, with Germany's car brand **Mini** and America's **Coca-Cola** sliding from the top five in 2003 to sixth and seventh in 2004. The UK's **Virgin** entered into the top at eighth from last year's eleventh. Finland's **Nokia** slipped from seventh to tenth.



Notable newcomer to the top ten is **eBay** (at ninth). The American online auctioneer claims 95 million registered users, and in 2004 expanded abroad to Asia, South America and Europe, allowing people all over the world to sell things they don't want and buy things they don't need.

#### **US & Canada: Jobs well done**

**Apple** is the winner in the 2004 Readers' Choice Award for the US & Canada for the second straight year. Target falls to third as Google creeps up to place second.

The perpetual underdog, with less than two percent of the world market, Apple has what John Schwartz in the *New York Times* aptly described as the "attitude of an artist and the eye of an anthropologist" (16 January 2005). The company's ability to delight the user in a bland land of equipment and software makes it easy to see why it impacts those of us who spend our days in the 21st century.

However, less savvy consumers contribute to the actual sales dominance of mainstream competitors, particularly in the computer division. Apple Computer ranks sixth in the US with just 3.33 percent of the market (Dell leads at 33%, followed by HP at 20% and Gateway at 5.23%).

Undaunted by the competition, Apple's dizzying pace of inventing new toys looks set to continue in 2005. The Shuffle and Mac mini were both unveiled in January of 2005. (2,000 Shuffle units sold within four hours of revealing the iPodder.)

Continuing to reflect global results, **Google** pulls up behind Apple at second place.

It's no surprise that Google ranks so high in the lives of North Americans, as more and more households go online (roughly 68 percent of the North American population now has access to the Internet).

Google deserves credit for offering clarity where most other portals employ a jungle of links. Easy enough for a newbie to navigate, it still remains the engine of choice for techies. Consider this: 66 percent of Microsoft employees use Google while only 20 percent use their own MSN engine. (We'd speculate on what the remaining 14% are up to but we're worried about mysterious DOS errors).

Overall in the US, Google holds 34 percent of the search engine market. Yahoo is close behind with 32 percent, MSN at 27 percent and AOL, the milk and cookies version of the Internet, drags in at nine percent.

Retailers Target and Starbucks are, respectively, third and fourth in the US & Canada, making tech and retail the categories to most impact our readers.

Although trailing Wal-Mart in actual sales, American department store **Target** gets points beyond just price (Wal-Mart's primary offering). Target's fourth year in the top five US & Canada Brands reflects the public's



love of the reasonably priced, upscale retailer.

Shopping for bathmats, a Target shopper feels smart, savvy and, dare we say, sexy. It appears that while we're glad to get a year's supply of toilet paper at Wal-Mart for a nickel, the experience doesn't exactly linger beyond the checkout line. Perhaps this explains why Wal-Mart placed 18th to Target's 2nd.

Despite offloading its underperforming divisions in 2004 (Marshall Field's and Mervyn's), Target is rumored to be looking to expand. Canadians may see their beloved Hudson's Bay Company acquired by the retailer in 2005.

Though experimenting somewhat outside of its charter with breakfast and lunch options in select markets, and offering branded music compilations, it seems safe to assume that **Starbucks'** impact on the daily need for caffeine isn't waning. A relatively cheap treat, Starbucks is a good example of socialized luxury.

Reflecting an incredible rise in the US & Canada results is **Pixar** at fifth place, up from eighth in 2003 and 31st in 2002.



Still under the partnership thumb of its distributor Disney (and majority-owned by Apple's CEO Steve Jobs), Pixar released just one feature-length film in 2004: *The Incredibles*. Competitor DreamWorks, which placed 40th, released four films in 2004, including *Shark Tale* and *Shrek II*. Placing 37th, Disney (a comprehensive conglomeration of entertainment businesses making it difficult to really compare with Pixar) made news most notably in 2004 by declining to release the documentary *Fahrenheit 9/11* from **Michael Moore**.



We mention Moore because, though not listed on our survey, he received quite a few write in votes along with his nemesis **George Bush**. (At this point we should remind our readers that a brand's overall "impact" could be positive or negative.)

Brand cults-of-personality who were listed did quite well in the US & Canada results. The follicly-adventurous real estate and reality TV developer **Donald Trump** came in seventh, just above imprisoned home-economics guru **Martha Stewart** (eighth) and daytime TV icon and Pontiac shill **Oprah Winfrey** (tenth).

Two Internet companies, **Amazon.com** and **eBay** placed sixth and ninth respectively. Both brands survived the dot-com bust and are thriving by heeding the qualities of successful offline brands: fulfilling a market need with reliable service.

#### Europe & Africa: IKEA inches up

Swedish retailer **IKEA** topped results in the Europe & Africa region in 2004. Although the Swedes may at times grow weary of the assemble-it-yourself furniture giant, the rest of Europe is still reveling in the opportunity to buy Scandinavian designs on a shoestring budget. Europe represents 81 percent of the furniture giant's sales (North America is 16% and Asia just 3%).



As for interest in the brand, consider that IKEA's is the world's most widely read catalog with 145 million copies printed in 2004 (and not a single naked person).

IKEA has come a long way from selling pencils but its success is not assured. Fellow Scandinavian furniture retailer, ILVA has plans to expand beyond its borders, adding to IKEA's competitor list. First stop: the UK in '05.

Speaking of the UK, **Virgin** splits Swedish retail brands IKEA and H&M (third), by finishing second in Europe & Africa.



Virgin has so many businesses that it's not possible to parse through what impacts our readers specifically. But at this point, it must be possible to live a complete Virgin life from transportation to communication, entertainment, drinks, cosmetics, financial services, and so much more. Next stop space, literally.

Richard Branson continues to delight or disgust depending on one's perspective, but we suspect the voters for Virgin in this ranking are definitely fans. Sir Richard's tremendous talent for making us feel like winners just for choosing Virgin cannot be underestimated, even if his success at reality TV should have been.

Swedish clothing retailer **H&M** operates on IKEA's philosophy by offering inexpensive yet stylish clothing for men and women. Priced below or at the same level as other popular high street retailers, H&M leverages the "get what you pay for" formula to the customer's benefit by offering frocks so low-priced they're practically disposable. Competitors like Spain's **Zara**, which placed eighth here, typically price higher, making purchasing less of a lighthearted decision.



The company's extraordinary expansion brings it to a total of over 1,000 stores worldwide. Ninety percent of H&M's sales happen beyond its borders, with Germany (not Sweden) as H&M's biggest market. In 2004, H&M acquired Germany's Gap chain, simultaneously increasing retail locations and decreasing competition.



Sliding since 2001, but still within the top five, Finnish telecommunications brand **Nokia** comes in fourth in Europe & Africa. Still the world's leading cellphone maker, nokiaholics are regularly treated to design and technology innovations from multimedia messaging to Java applications to EDGE or GPRS wireless web access.

But why is Nokia sliding from its number one placings in 2001 and 2002? Probably because by failing to add a toaster to recent models, Nokia has become its own worst enemy. Ratcheting up its innovation half-life to an unmaintainable degree, Nokia disappoints fans when it slips with inconsistent designs or simply slows down to mere human levels.

In its ninth year of broadcasting, **Al Jazeera** rounds out the top five in Europe and Africa, coming in ahead of competitor **BBC** (at ninth place).

Accused of bias (an argument we have not the tipples nor time to enter into here), Al Jazeera presents an alternative point of view to those who until recently had only CNN or BBC to supply "world" news views. Compared with 2003, Al Jazeera has climbed over eight other brands to place fifth in both 2004 Global and 2004 Europe & Africa results.



#### Asia-Pacific: Sony sees enemies at the gates

Consumer electronic brands lead in Asia-Pacific with Sony in first followed by Samsung and



LG. The close results of these brands perfectly reflect the zeitgeist of the marketplace in which they compete.

As the Asia-Pacific brand with the most impact in 2004 (eleventh Globally), **Sony** is working harder than ever to innovate in each of its various and varied divisions.

Film, music, electronics, and semiconductors: Sony is involved in just about every aspect of entertainment from delivery systems to content. In 2004, its music division merged with BMG to form Sony BMG, second now only to Universal Music.

Still, as popular as Sony is in the consumer market, it's obviously struggling. Strong competitor challenges from every part of its business as well as the public's endless expectation of lower prices for digital equipment, have led to lower profits across the industry. Sony is countering with an investment in R&D, partnering with its own competition including NTT DoCoMo and Samsung, to develop new technology, and even taking the long-expected and advised step of withdrawing from areas where it's weak. (In 2004, determining that the PDA market will eventually cede to cellphones, Sony withdrew the Clie from the global market to sell only domestically. It will refocus its resources on smart cellphones instead.)

Part of Sony's headache must include the strong showing of Korean chaebols Samsung (second) and LG (third).



Although **Samsung's** businesses sprawls from semiconductors to oil and textiles, we assume the brand impact measured here is from its consumer electronics division Samsung Electronics.

Like Sony, Samsung now fights on many different fronts and ended 2004 by warning of lower profits than expected. But the Korean brand has been on a strong rise for the last couple years by turning its product from cheap to smart, investing in quality design and technology, and generally surprising consumers with competitively priced, quality products.

Samsung is also drawing praise in its appliance business. Now third in the global appliance sector (behind Whirlpool and Electrolux), Samsung unveiled smart products in 2004, such as the germ-free fridge.



Similar in scope to Sony and Samsung's diverse businesses, **LG** places third among brands with the most impact. The Korean consumer electronics brand appears to be trying to beat Samsung at its own game by countering a traditionally poor image with a better quality product.

Last year kicked off with LG's pledge to become one of the top three global electronics brands. As part of the strategy, it has set its hopes on the handset division where the theory is that loyalty to the brand's phones will create a halo effect on other product. Sales rose from US\$ 6.9 million in 2000 to US\$ 44 million last year (beating Sony Ericsson and placing fifth in the world for handsets).

Back to Japan where **Toyota** places fourth. The automaker's serious approach to perfection is reflected in sales and prominence in the industry worldwide. Toyota is the largest automaker in Japan and second worldwide only to General Motors. (GM has 15% of the world market; Toyota rose to 13% while Ford sunk to 11%.) While not the number one automaker, Toyota did turn the most profit in 2004: US\$ 11.1 billion (to GM's 4.04 billion and Ford's 2.67 billion).

Toyota also received many write ins for its Scion line (a sub brand in the US), which seems

to be gaining enormous interest beyond the brand's traditional market.

Ranking fifth in Asia-Pacific is Australia's **Lonely Planet**. No longer targeting the backpacker segment, the 31-year-old travel guidebook brand has grown more conservative with age. Its more mainstream approach to content has attracted a larger readership while also placing the once strongly differentiated brand squarely in the path of competitors.



The brand has made good use of the Internet with its travel forum Thorn Tree, and branched into other related guidebook areas such as restaurants and activities. But Lonely Planet's challenges still lie at the core of its product's expertise. The right (or wrong) guidebook has the potential to have a substantial impact on one's life via that emotional connection brands are always looking so hard to establish. Feeling well led when encountering the unknown cannot be underestimated and can lead to lifelong brand loyalty. It is for this reason that Lonely Planet's overwhelming priority should be constant quality control of its content.

After weathering colossal threats to the travel industry in the last three years (SARs, recessions and September 11th), it will be interesting to see how Lonely Planet now handles the rewrite on Asian titles affected by the tsunami to compensate for resorts and "places to eat" that are no longer there.

Rounding out the top ten in the region are, respectively, **Singapore Airlines** and **Qantas**, the financial mammoth **HSBC**, Japanese automaker **Honda**, and **nudie drinks**, Australia's answer to the well-publicized Innocent Drinks brand in the UK.

#### **Latin America: Cemex cements top spot**

At the top of the 2004 Latin America brand rankings is Mexican cement brand Cemex. The third largest cement company in the world, Cemex's recent success can be traced in part to Mexico's housing boom, as an increase in government mortgage loans has led to an increase in development. However the brand's finishing is surprising when compared to other regions' tech and retail favored results.



Nearly a hundred years old, Cemex reported that 2004 net income was more than double 2003's net. Growing at a comparable rate is Cemex's debt, now at US\$ 5.6 billion, which the company claims is one percent less than the year before. At this rate, Cemex should be debt free just in time for Mexico to reclaim Texas and California.

Three beverage brands land in Latin American's top five; Mexico's Corona places second, Cuba/Bermuda's Bacardi places third and Chile's Concha y Toro is fifth (knocking off Café de Colombia), leaving bakery brand Bimbo (fourth) to soak in all the booze.

These rankings represent no change from the 2003 Readers' Choice Award results for Central & Latin America.

Grupo Modelo's **Corona** holds the majority of its home market in Mexico, and it does an effective job of selling an image of sun and sand to the rest of the world.

In 2004, **Bacardi** added to its stable of brands (which includes Dewar's, Bombay and Martini), including the (estimated) US\$ 2 billion purchase of the incredibly successful Grey Goose brand from Sidney Frank.

Chilean wine brand **Viña Concha y Toro** reflects the overall healthy



Chilean wine industry. Chile's wine market increased 26 percent between September 2003 and October 2004, and of that market, Concha y Toro holds more than 20 percent between its fifteen vineyards. Sales for 2004 were up 3.8 percent with more than half of the revenue coming from exports to nearly 100 countries. The brand follows the Chilean Industry model of offering good quality wine at popular price points, but it receives a lot of attention, praise and awards from critical entities like *Wine Spectator*, *Wine Enthusiast*, *Descorchados* and *Wines and Spirits*.



Mexican brand **Bimbo**, the third largest bread maker in the world and market leader for flour-based products in the Americas, reported year-over-year increased sales of 7.7 percent in Mexico in 2004 (in the rest of Latin America sales were up 4.9 percent from 2003). Its US sales dip has been blamed, in part, on the lo-carb fad.

With no monumental news in 2004, it becomes difficult to know exactly why our voters rated this brand with such a high impact. Still, like the coffee (and arguably the alcohol) brands in the survey, *bread is a daily part of most lives, and no one does bread quite like Bimbo*.

Brands rounding out the top ten in Latin America include Brazilian flip-flop brand **Havaianas**, capturing voters' fancy as a footwear trend, and finishing sixth. It was followed by Mexican airline **Aeroméxico** at seventh place.

Although **Café de Colombia** slipped to eighth (from fifth in 2003) this National Federation of Coffee Growers is still one to watch. Second behind Brazil as the world's largest coffee producer, Colombia organizes its relatively small individual growers under the more powerful Café de Colombia brand (sub-brand and retail outlets include the Juan Valdez brand).



In addition to reaching more markets abroad, Café de Colombia hopes to brew domestic interest in its own product at home. Presently Colombians only drink 1.2 million of the 12 million sacks of coffee sold each year by the brand.

Rounding out the top ten for Latin America brands are Brazil's largest industrial company, **Petrobras** (ninth) and the nation's cosmetic brand **Natura** (tenth).

### Top 5 in all regions:

Global	Asia-Pacific	Europe & Africa	Central & Latin America	North America
1. Apple*	1. Sony	1. Ikea	1. Cemex	1. Apple
2. Google**	2. Samsung	2. Virgin	2. Corona	2. Google*
3. Ikea*	3. LG*	3. H & M	3. Bacardi	3. Target**
4. Starbucks*	4. Toyota**	4. Nokia**	4. Bimbo	4. Starbucks
5. Al Jazeera	5. Lonely Planet	5. Al Jazeera	5. Viña Concha y Toro	5. Pixar

\* Denotes move up from 2003 / \*\* Denotes move down from 2003 / BOLD denotes new to the list

### Methods to the Madness: What, who, when, how

The annual Readers' Choice Awards are a chance to recognize the brands that have the most impact on our lives each year. Impact can be either positive or negative.

A total of 1,984 brandchannel readers from 75 countries voted online between November and December 2004.

A shortlist for each region is provided but readers are given a chance to write in brand(s) to compensate for omissions on the part of brandchannel.

The shortlist comprises brands that were highly visible that year. Write in votes carry equal weight to listed brands *unless* the brand is already listed in the shortlist, in which case we accept up to 10 write ins for one brand.

Voters are allowed to vote for up to five brands per region and complete the demographics section once. Respondents can only vote once per region. No section of the survey is mandatory, which explains the varying response rates by region.

Respondents per region equal: 1,984 for Global, 935 for US & Canada, 858 for Europe & Africa, 655 for Asia-Pacific, and 408 for Latin America.

Voting is open to anyone. Rankings are compiled purely on the basis of reader results. We do not influence the results through weighting, sampling or a flawed electoral college.

Our readers are interested in brands and branding. They are online and are therefore presumably familiar with technology. Of course, they are above average in intelligence, curiosity, good looks, taste, charm.

Sixty percent of voters identified themselves as men; the strongest group of voters fell in the age range of 26 to 35 years old.

Previous year results are equally fascinating: 2003, 2002 and 2001 or view charts of this year and previous year's surveys.

[31-Jan-2005]

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*Brandchannel will be conducting a similar survey for 2005. For those wishing to participate in the initial drafting of a shortlist in the autumn of 2005, please email us with a brief description of your expertise and regional background, you will be contacted in September/October of 2005.*

*If you have a question about the rankings or just want to chat, you may email us or even call at +1.212.798.7663.*

**Robin D. Rusch** is Editor-in-Chief of brandchannel.

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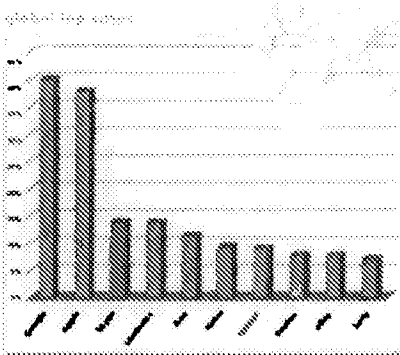
The world's only online exchange about branding, produced by Interbrand

## The Search Is Over: Google Wins in 2005

By Robin D. Rusch

Which brands had the most impact on us in 2005? From Argentina to Vietnam, voters rank the brands that made them stand up and take notice in our fifth annual Readers' Choice Awards. Perennial favorites Google, Apple, Nokia and Ikea are joined by newcomers like Skype, craigslist, movistar and Lance Armstrong.

### Global: Google Tops Ranking (view results)



In 2005's results, Google took the lead from Apple in what is shaping up to be a back and forth contest through the years for these two innovative tech companies. Each year one out-does the other, and this time it is Google's turn to shine.

**Google** went public in the summer of 2004, and the hype hasn't died yet. Notable milestones in 2005 included the launch of Google Mini (around the same time that Apple unveiled its own mini product) and Desktop Search, which, like most Google product, falls under the "descriptive" school of naming. The quirky brand also treated us to Google Earth, arguably the

greatest thing to hit the Internet since porn.

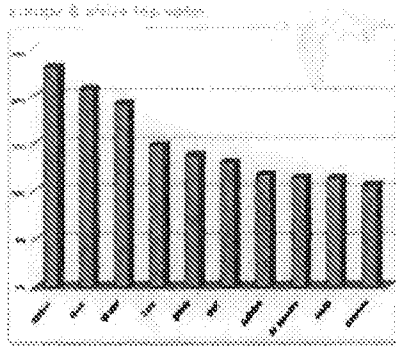
Prior to Google, life was a source of wonder with no ready answers; with Google, we are all instant scholars. Those worried that the company might run out of ideas should visit Google Labs—a welcome assurance that more delights are close on the horizon.

Equally impressive on the innovation front, **Apple** unveiled a tremendous amount of new product in 2005, prompting pundits to speculate that the brand would soon flame out in exhaustion. (Just how low are our expectations?) The iPod shuffle, iPod nano, iPod video, Mac mini, and Tiger operating system all emerged from the busy Cupertino workshop this past year.

Well below these two leaders but rounding out the top five for Global brands are newcomer Skype and old favorites **Starbucks** and **Ikea**.

**Skype** rapidly took off in Europe before being bought by eBay in September 2005. Launched in 2003 and headquartered in Luxembourg, Skype is a voice over Internet protocol provider, which allows free (or cheap) communication between users over the Internet. Skype is not alone in the field or unhindered for future growth; competitors include Google Talk, Vonage, and SIP; hurdles include Luddites.

**Europe & Africa: Nokia Dials Back** (view results)



**Nokia** pulled back up to number one for Europe & Africa after slipping in the past years from first place (2001 and 2002) to third (2003) and then fourth in 2004.

"Renewal" is listed as a value in the company's literature,

and it seems that is what we are seeing here. The Finnish telecom and technology brand continues to dominate world mobile phone sales, followed by Motorola, then Samsung and LG.

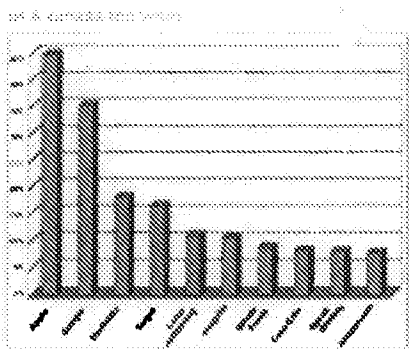
Swedish retailer **Ikea** has lurked at the number one or two spot for the last four years; in 2005, it settles into the second spot behind its eastern neighbor Nokia. Ikea opened over 20 new stores in 2005, helpfully showing 410 million shoppers how to fill a space and budget with cheap Scandinavian design.

What's next for the home furnisher? Probably more store, more parking lot. But if Ikea wants to really rock our world, then we suggest an Ikea hotel. Call it Hotell Gäspa, and allow Ikea lovers to indulge in a complete brand immersion. The Bible in the drawer would be replaced with the popular Ikea catalogue; orders for home delivery could be placed on the door handle alongside requests for next morning's breakfast. Assembling the bed before sleeping could be optional.

New to the list this year and coming in third is **Skype**, which also made the Global list at third. We placed Skype in Europe & Africa because, for the greater part of the year, it was a European company and continues to headquarter in Luxembourg (eBay purchased it in September). Assuming Skype is still ringing off the hook by the end of 2006, it will move to the US & Canada list.

Finishing out the top five brands in Europe & Africa are Spanish clothing retailer **Zara** and German car manufacturer **BMW**.

#### US & Canada: Apple Polishes Off Google on Home Turf (view results)



**Apple** loses the battle for world dominance this year in our Global results but soundly beats **Google** at home. Similar to the Global contest, the two have shared top five distinction in the US & Canada results for the last four years.

Scooping third place, **Starbucks** continues to waft through our world. We asked readers to choose those brands that had the most impact on them in 2005; Starbucks is for many a daily ritual, made more noteworthy by the cost and experience of choosing this retailer over the corner street vendor.

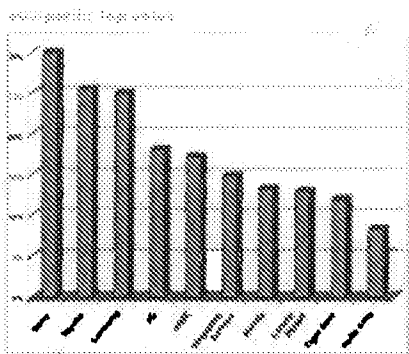
Mega-retailer **Target** has been sinking since holding the first place position for 2001 and 2002, before falling to second position in 2003 and then third in 2004. In 2005, it queues up at fourth position. Unique among other national retailers in its focus on design, Target probably faces steep competition with the expansion of Ikea and Wal-Mart throughout the

US.

American athlete and seven-time Tour de France winner **Lance Armstrong** brings up the tail of the top five brands. Armstrong joins craigslist and Whole Foods as new entrant notables who made the top ten for US & Canada brands. The Armstrong brand boasts an irresistible story of record-breaking success after the cyclist's death-defying recovery from cancer. A genuine specimen with no supplemental hype.

Global Internet listing site **craigslist** (a possible omission from our list in previous years) perhaps placed so high in part due to a revived economy in 2005, causing users to flock online in search of jobs, employees, housing, or love, while natural foods chain **Whole Foods** reflects the commitment of those who are choosing organic, pesticide- and cruelty-free food production over processed Frankenfoods.

#### Asia-Pacific: Sony Stays Steady (view results)



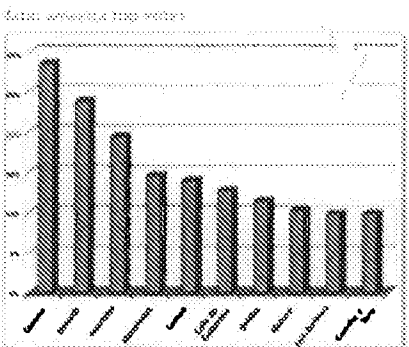
Despite press reports criticizing **Sony** for everything from product to practices, the Japanese consumer electronics maker remains steadfast in the number one position for four of the five years we've conducted the study. It is joined by fellow Asian competitors **Samsung** (a sometimes collaborator with Sony) at third and **LG** at fourth.

Driving past Samsung (which had been hovering in the number two spot for the past four years) is Japanese automaker **Toyota** at second place this year. Year by year, Toyota's increasing popularity can be traced to

quality product across a range of price points and lifestyles, while its focus on hybrid-powered vehicles is gaining resonance with fuel-conscious consumers.

Deposited at fifth place is the multinational bank **HSBC**. Hard to know if HSBC is chosen for good or bad impact, or something else entirely—brand awareness perhaps. (The bank has been on an acquisition spree particularly in the last five years, and it is the third largest corporation in the world ranked by assets.) Large multinational banks are not often immediately loved, and it's not apparent that HSBC has done anything to affect an image other than that of impersonal corporate giant. That said, one's bank does have a big impact on one's life, and with more than 100 million customers, that could certainly launch HSBC's balance to fifth place.

#### Central & Latin America: Drinks Dominate (view results)



First place is **Corona**, chased down by **Bacardi**, among Central and Latin America brands. It's possible that our readers enjoy their drink, but more likely, the two brands' domination of the list each year reflects brand awareness more than impact. (Although too much of either brand could cause considerable impact in one's life.) South America's brands may be strong at home, but they do not always cross borders or rank high in neighboring countries. This causes a broad split or dilution when we lump the countries under one regional heading. The placement of Corona and Bacardi may simply come down to strong recognition across a broader segment of the

voting population.

**Movistar**, a mobile phone operator from Spanish firm Telefónica, rings in at third place in our poll. Rebranded as movistar just last year, the brand took off rapidly, causing some to suggest it will burn out just as quickly. Other voters seem delighted by the communication campaigns and optimistic about the brand's longevity. The support of any market is dependent on the brand's ability to deliver on the promise, which in the case of phone operators distills to service, service, service.

Rubber sandal maker **Havaianas** slides comfortably into fourth place. A fashion trend that doesn't seem to end, the fun footwear has found a place in wardrobes worldwide. A rare brand that cultivates fierce loyalty despite being low-cost and nonexclusive. Mexican cement manufacturer **Cemex** falls to fifth place.

Global	Asia-Pacific	Europe & Africa	Central & Latin America	North America
1. Google*	1. Sony	1. Nokia*	1. Corona*	1. Apple
2. Apple**	2. Toyota*	2. Ikea**	2. Bacardi*	2. Google
3. Skype	3. Samsung**	3. Skype	3. movistar	3. Starbucks*
4. Starbucks	4. LG**	4. Zara	4. Havaianas	4. Target**
5. Ikea**	5. HSBC	5. BMW*	5. Cemex**	5. Lance Armstrong

\* Denotes move up from 2004 / \*\* Denotes move down from 2004 / BOLD denotes new to the list

### Methodology: Who Decides?

While it's true that our readers appear at first glance to be easily lured by shiny design, innovative technology, coffee, and booze, they should not be dismissed as a bunch of hyper-caFFEinated gearheads. Year after year brandchannel voters identify brands that the mainstream world eventually catches up with; impact is felt first by these early adopters.

Over 2500 people from 99 countries voted in the 2005 poll. The greatest number of voters fell in the age range of 26 to 35 year olds, with about a third more men voting as women. Slightly more claim employment with actual brands as opposed to agencies.

Respondents per region equal: 2528 for Global; 1295 for Europe & Africa; 1158 for US & Canada; 841 for Asia-Pacific; and 508 for Latin America.

Brandchannel conducts the study each year under the following conditions:

- Readers are instructed to vote for the brands that had the most impact on them that year.
- Impact is defined as good or bad. (Bad impact might be a brand like Enron.)
- The study runs online and is open to the public during November and December.
- Votes can be cast for up to five brands per region; respondents can only vote once per region but no section is mandatory.

We recommend an immediate cessation of all other distractions while you browse previous year results.

Thank you to all those who voted. We salute our discerning readers and urge the rest of the world to heed the impending impact of their choices.

[23-Jan-2006]



**Robin D. Rusch** is Editor-in-Chief of brandchannel.

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**brandchannel.com**

The world's only online exchange about branding, produced by Interbrand

## Similar Search Results: Google Wins

By Anthony Zumpano

Google and Apple top the results of our Readers' Choice Awards—again. Surprised? We didn't think so. But that doesn't mean it was business as usual for either brand last year. Both launched new products, made deals, and continued to innovate in ways that made the most impact on readers in 2006.

### Global: Bow to Your Google

#### Your top five:

1. Google
2. Apple
3. YouTube
4. Wikipedia
5. Starbucks

>> see the full results.

**Google** hogged technology headlines and spread its ubiquity (which is a nice way of saying "world dominance") throughout 2006. The dust barely cleared on its US\$ 900 million deal with News Corporation to provide service to sites such as MySpace when it purchased video site and workplace time-waster (as well as third-place finisher) YouTube for \$1.65 billion. But perhaps its most noteworthy brand achievement last year was the addition of the verb "to google" in two major English-language dictionaries. (More valuable to shareholders was the stock price cracking the \$500 barrier.)

**Apple** barely edges YouTube for the runner-up slot. The company launched its first computers powered by Intel processors (as it phased out those by Motorola), the iTunes Music Store sold its 1 billionth song, and so far, people haven't been chucking their iPods for the Microsoft Zune. Apple CEO/deity Steve Jobs has (so far) survived an investigation concerning backdated options; similar scandals have felled several other CEOs. In 2007 Jobs plans to walk on water, which he will then turn into wine.

Following Apple are two Readers' Choice newcomers: the aforementioned **YouTube**, and the spreading-like-Google **Wikipedia**. The backbone of both brands is user-created content: one allows you to watch (or upload your own version of) a "Mentos eruption" that occurs when you slip the chewy candies into a bottle of diet cola, while the other details why this junk-food fireworks takes place.

YouTube launched in 2005, and this year, with 20 million monthly visitors, exploded like Mentos in Diet Coke and was named *Time's* "Invention of the Year." And did we mention that Google bought it for \$1.65 billion in stock?

Since its creation comparatively eons ago (2001), Wikipedia grew slowly and steadily (pages in well over 100 languages, with more than 1.5 million articles on the English version alone) as it became the premier—if not always accurate—online research tool.

In a virtual tie for fifth place are perennial favorites **Starbucks** and **Nokia**, proving caffeine and cellphones haven't gone out of style. In 2006, the java giant added more franchises in China and also branched into the entertainment business as one of the producers of the film *Akeelah and the Bee*. Nokia and Siemens AG created one of the world's largest network firms, called Nokia Siemens Networks, by merging their mobile and fixed-line phone network equipment businesses.

#### Europe & Africa: IKEA Assembles a Winner

##### Your top five:

1. IKEA
2. Skype
3. Nokia
4. Zara
5. adidas

>> see the full results.

**IKEA** wrestled the top spot from Nokia, which slipped to third behind Skype. The Swedish-founded, Dutch-headquartered home-products retailer expanded its reach even further in 2006 with 16 new stores. Of note was the opening of its first two stores in Japan; one grand opening attracted 35,000 fanatics of furniture you assemble yourself. In 2007 IKEA plans to open 24 more stores, including one in Tokyo and premiere locations in Romania and Northern Ireland.

While we're on the subject of expanding juggernaut brands, runner-up **Skype** doubled its number of concurrent users last year to 8 million. The

Luxembourg-based voice over IP (VoIP) company, which was purchased by eBay in 2005, is now supported by over 120 devices that run Windows Mobile software. (Steve Jobs acolytes were able to download the first video-enhanced release for Macs in October.) Some techies grumble that the code is closed-source, unlike competing protocol SIP, but Skype addicts don't seem to be complaining.

**Nokia** staved off competition in 2006 by aggressively marketed its low-priced mobile phones, but its high-end N93 smartphone, which is packed with multimedia functions including the recording of DVD-quality video, won several awards and may well beat the iPhone to the punch when the latter is released later in 2007. Rounding out the Top 5 in Europe/Africa are Spanish clothing retailer **Zara** and German apparel company **adidas**.

#### US & Canada: Apple Shines Again

##### Your top five:

1. Apple
2. YouTube
3. Google
4. Starbucks
5. Wikipedia

>> see the full results.

While Google kept its top Global ranking, **Apple** held on to its number-one spot in North America. Its notable 2006 product releases included the Intel-powered MacBook and MacBook Pro notebook computers, which replaced its three-year-old G4 iBook and PowerBook, respectively. The year also saw upgraded iPods including a revamped Shuffle that's teeny—less than half the size of the original—and carries a \$79 price tag, ensuring that few will be priced out of the privilege of wearing the familiar white headphones.

Though Apple hasn't yet taken credit (or blame) for it, the company is also responsible for the proliferation of products whose names begin with a lowercase *i*, even if they're not iPod compatible. (We wonder how many brand names in the early 20th century borrowed the consonant from Ford's Model T.) In kicking off 2007 with the iPhone and Apple TV (and despite those increasingly annoying "I'm a Mac...I'm a PC" ads), the company, which altered its brand by dropping "Computer" from its name, will likely be a top contender in next year's poll.

Considering Google's purchase of YouTube (\$1.65 billion!), it's fitting that the two brands finished within a few votes of each other. While most people know that second-place

**YouTube** caught fire in 2006 because of the number and diversity of videos available, it should be noted that its popularity was driven by the technology under its hood, which makes videos as easy to upload as they are to play.

**Google** is more than a Spartan but efficient search engine; it's a company that has developed and acquired many applications and products. Blogger, the popular blog-publishing system purchased by Google in 2003, launched its latest version, adding new features and migrating users to Google servers. The company released a mobile version of its Gmail, its free web email service that offers enhanced spam protection and a large storage capacity. (Oh yeah, and they bought YouTube—did we mention how much they paid?)

Bean king **Starbucks** continues to enjoy a latte success. During the 12-month period between October 2005 and October 2006, the company opened 733 new licensed retail stores in the US. In line with its attitude that it's not merely a coffee brand (but rather a *lifestyle* brand that happens to *sell* coffee), Starbucks owns and operates the Hear Music franchise. Where the typical Starbucks outlet sells a few CDs within a coffeehouse setting, Hear Music locations feature listening stations and allow users to purchase, download, and burn custom music CDs (while downing Starbucks beverages, of course).

In its first appearance on a Readers' Choice ballot, **Wikipedia** cruised into fifth place for the North America region. A boon to people for whom research meant sifting through Google-search results (or, at an earlier time, thumbing through the *World Book Encyclopedia*), this user-developed reference site is often a starting point for people looking stuff up. *Time* magazine named "You" its Person of the Year because of sites like Wikipedia (and blogs, YouTube, and MySpace), whose content—and, one can say, branding—is enhanced and shaped by its users. The magazine also named Wikipedia founder Jimmy Wales one of the most influential people in the world, though it's more accurate to say that Wikipedia's users are the influential people in terms of the brand.

### Latin America: A Toast to Beverage Brands

#### Your top five:

1. Corona
2. Bacardi
3. movistar
4. Havaianas
5. Bimbo

>> see the full results.

The top four Latin American brands maintain their positions for the second consecutive year. As we noted last year, **Corona** and **Bacardi** likely benefited more from brand awareness among our readers from outside the region than actual impact. (We could also conclude from the vote tally that our readers are more likely to imbibe beer than rum.)

If you own a cellphone in South America, it's likely that your service provider is third-place **movistar**. Though the brand's owner, Telefónica, is based in Spain, movistar has a huge (and growing) presence in other Spanish-speaking countries. (In non-

Hispanic countries like Germany and the Czech Republic, Telefónica operates under the O2 brand.) In Peru, for instance, the brand expanded its client base 48 percent in 2006. With flip-flops becoming more acceptable as work attire (to the consternation and/or revulsion of some traditionalists), Brazilian sandal brand **Havaianas** steps into fourth place. Food conglomerate **Bimbo**, the owner of brands including Wonder Bread, came in fifth.

### Asia-Pacific: A Tale of Two Sonys

#### Your top five:

For perennial Asia-Pacific winner **Sony**, it was the best of times, it was the worst of times. Gamers

drooled at the release of the long-awaited PlayStation 3 game console, and Sony's digital camera, mobile phone, and film divisions (*Talladega Nights: The Ballad of Ricky Bobby* drove in \$162 million worldwide) were successful. But laptop users were inconvenienced (or, in some cases, risked burns) by malfunctioning Sony-made batteries. Companies including Apple, Toshiba, Dell, and Lenovo recalled millions of these power cells, resulting in a second-quarter net-income loss of 94 percent.

**Toyota** keeps on rolling as a dependable, safe, well-liked auto brand. Notable 2006 releases from the company, which also owns the Lexus and Scion brands, were the Belta (known in North America as the Yaris), a compact economy model that boasts gas mileage up to 40 miles per gallon, and the retro sporty/outdoorsy FJ Cruiser. With the rise in gasoline prices, demand for the hybrid Prius reached new heights. And as if the slumping Big Three US automakers didn't have enough to worry about, CNN reported that Toyota is on target to become the world's largest automaker in 2007.

Multinational bank **HSBC** cashes in at third place, its highest ranking ever. By mid-2006 the money monolith overtook Citigroup as the world's biggest bank by assets. (That's \$1.74 trillion, most of which is not invested in low-return certificates of deposit, we're sure.) It expanded deeper into Latin America with the purchase of Argentina-based Banca Nazionale del Lavoro and Panama-based Grupo Banistmo, the largest financial-services company in Central America.

Closing out the top five are perennial favorites **Samsung** of South Korea and **Honda** of Japan. In 2006 Samsung was a leading brand in the competitive flat-panel TV market and also introduced the K5, yet another answer to the iPod. (Steve Jobs still sleeps well at night.) Honda not only maintained its market share as a manufacturer of cars and motorcycles (among other things), it continued to promote its humanlike robot, ASIMO, which took another leap forward—some would say "downward"—when it unintentionally displayed human klutziness by falling down a flight of stairs.

Global	Asia-Pacific	Central & Latin America	Europe & Africa	US & Canada
1. Google	1. Sony	1. Corona	1. Ikea*	1. Apple
2. Apple	2. Toyota	2. Bacardi	2. Skype*	2. YouTube
3. YouTube	3. HSBC*	3. movistar	3. Nokia**	3. Google**
4. Wikipedia	4. Samsung**	4. Havaianas	4. Zara	4. Starbucks**
5. Starbucks**	5. Honda	5. Bimbo*	5. adidas	5. Wikipedia

\* Denotes move up from 2005

\*\* Denotes move down from 2005

BOLD denotes new to the awards list

### Generating the Results: How'd We Do That?

Unlike other brand rankings that crunch financial numbers, the Readers' Choice poll measures brand impact according to brandchannel readers. "Impact" can be good or bad. For instance, Sony could have impacted you positively with its PlayStation 3, negatively with a malfunctioning laptop battery, or both.

The study runs online and is open to the public during November and December. Votes can be cast for up to five brands per region; respondents can only vote once per region but no section is mandatory.

More than 3,600 people from 99 countries voted in the 2006 poll. The greatest number of voters fell in the age range of 26 to 35 year olds, with an almost equal number of men and women. Voters claiming employment with actual brands as opposed to

agencies was greater by half.

Respondents per region equal: 3,625 for Global; 1,595 for US & Canada; 1,420 for Asia-Pacific; 1,358 for Europe & Africa; and 581 for Latin America.

Track the results of your favorite brand through the years by viewing past results.

A special thanks to all those who voted!

*Now that the 2006 results are in, what do you think will happen in 2007? Join the debate now!*

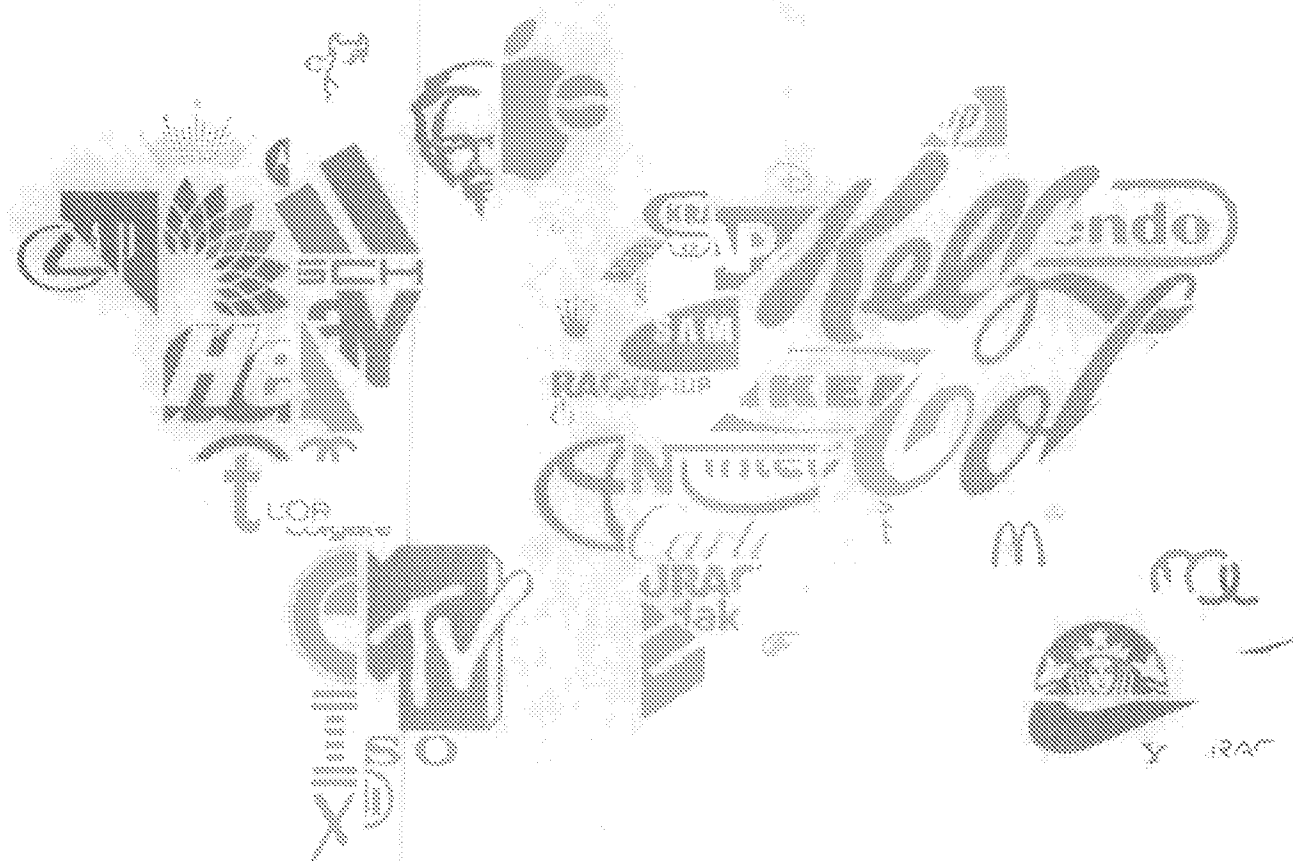
[29-Jan-2007]

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**Anthony Zumpano** lives and works in New York.

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# **Exhibit 3**



# ALL BRANDS ARE NOT CREATED EQUAL

Best Global Brands 2007

Interbrand

BusinessWeek



## 2. Best Global Brands

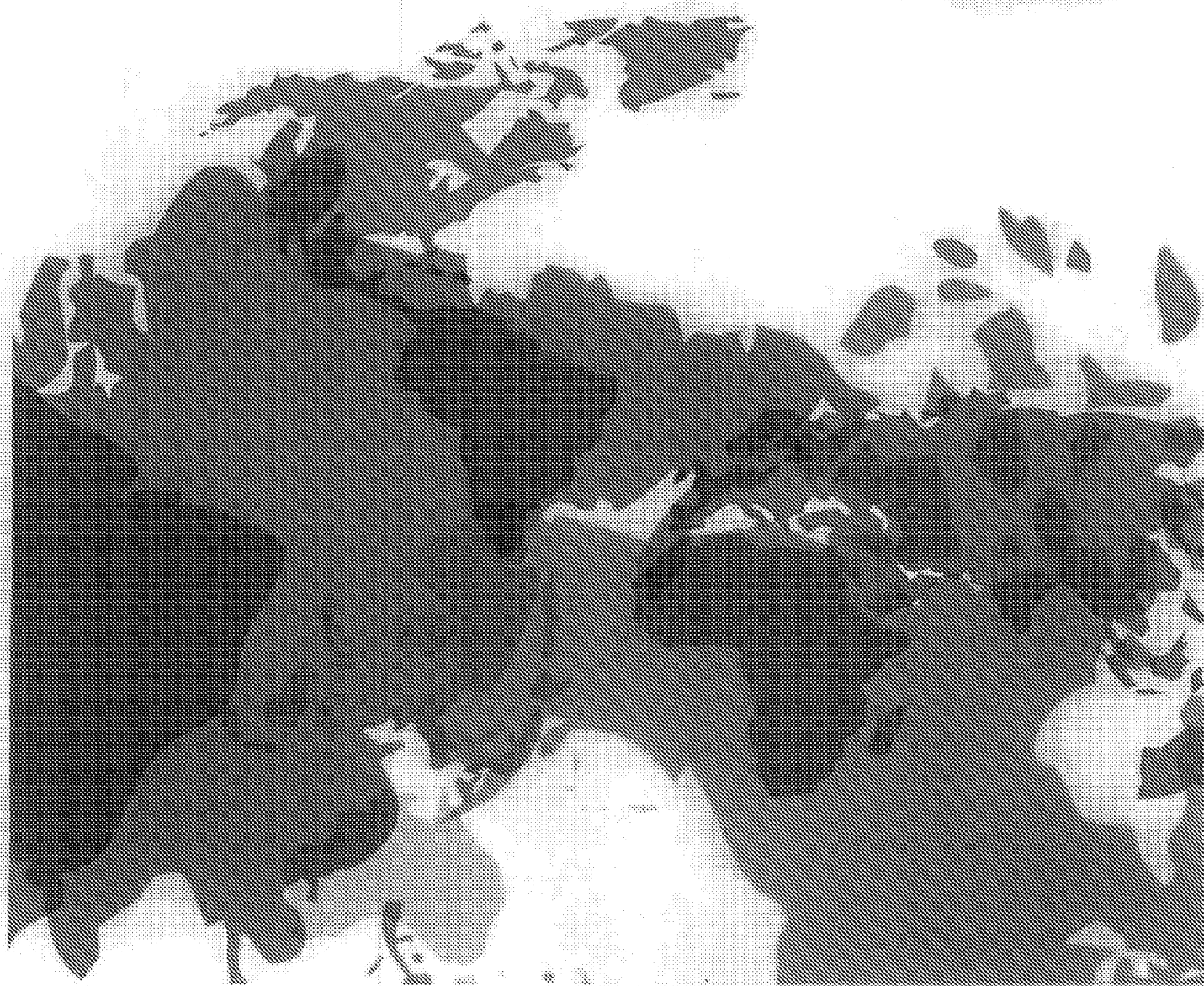
2007 Rank	2006 Rank	Brand		Country of origin	Sector	2007 Brand Value (\$bn)	Change in brand value
21	20	Samsung		Republic of Korea	Consumer Electronics	10,123	4%
22	21	Merrill Lynch		US	Financial Services	14,341	10%
23	28	HSBC		UK	Financial Services	13,463	17%
24	23	Nescafé		Switzerland	Beverages	12,950	4%
25	26	Sony		Japan	Consumer Electronics	12,967	10%
26	22	Pepsi		US	Beverages	12,858	2%
27	29	Oracle		US	Computer Software	12,448	9%
28	32	UPS		US	Transportation	12,013	12%
29	31	Nike		US	Sporting Goods	12,004	10%
30	27	Budweiser		US	Alcohol	11,852	0%
31	25	Dell		US	Computer Hardware	11,554	-6%
32	33	JPMorgan		US	Financial Services	11,433	12%
33	39	Apple		US	Computer Hardware	11,037	21%
34	34	SAP		Germany	Computer Software	10,880	8%
35	37	Goldman Sachs		US	Financial Services	10,843	11%
36	35	Canon		Japan	Computer Hardware	10,581	6%
37	36	Morgan Stanley		US	Financial Services	10,040	6%
38	41	Ikea		Sweden	Home Furnishings	10,057	15%
39	42	UBS		Switzerland	Financial Services	9,838	13%
40	40	Kellogg's		US	Food	9,341	6%

# Best Global Brands 2006

A Ranking by Brand Value

Interbrand

Business Week



#### 4. Best Global Brands

Rank	Brand	Country of origin	Sector	2004 Brand Value (\$bn)	Change in Brand value
28	Sony	Japan	Consumer Electronics	11.695	9%
29	Budweiser	US	Alcohol	11.662	-2%
29	HSBC	UK	Financial Services	11.622	11%
30	Oracle	US	Computer Software	11.459	5%
30	Ford	US	Automotive	11.056	-16%
31	Nike	US	Sporting Goods	10.897	8%
32	UPS	US	Transportation	10.712	8%
33	JPMorgan	US	Financial Services	10.205	8%
34	SAP	Germany	Computer Software	10.007	11%
35	Canon	Japan	Computer Hardware	9.958	10%
36	Morgan Stanley	US	Financial Services	9.762	0%
37	Goldman Sachs	US	Financial Services	9.640	13%
38	Pfizer	US	Pharmaceuticals	9.591	-4%
39	Apple	US	Computer Hardware	9.130	14%
40	Kellogg's	US	Food	8.776	6%
41	Ikea	Sweden	Home Furnishings	8.763	12%
42	UBS	Switzerland	Financial Services	8.734	15%
43	Novartis	Switzerland	Pharmaceuticals	7.880	2%
44	Siemens	Germany	Diversified	7.828	4%
45	Harley-Davidson	US	Automotive	7.739	5%
46	Gucci	Italy	Luxury	7.158	8%
47	eBay	US	Internet Services	6.755	18%
48	Philips	Netherlands	Diversified	6.730	14%
49	Accenture	Bermuda	Computer Services	6.728	10%
50	MTV	US	Media/Entertainment	6.627	0%
51	Nintendo	Japan	Consumer Electronics	6.559	1%
52	Gap	US	Apparel	6.416	-22%
53	L'Oreal	France	Personal Care	6.392	6%
54	Heinz	US	Food	6.223	-10%
55	Yahoo!	US	Internet Services	6.056	15%
56	Volkswagen	Germany	Automotive	6.032	7%
57	Xerox	US	Computer Hardware	5.918	4%
58	Colgate	US	Personal Care	5.633	9%
59	Wrigley's	US	Food	5.448	-2%
60	KFC	US	Restaurants	5.350	5%
61	Chanel	France	Luxury	5.156	8%
62	Avon	US	Personal Care	5.040	-3%
63	Nestle	Switzerland	Food	4.932	4%
64	Kleenex	US	Personal Care	4.842	-2%
65	Amazon.com	US	Internet Services	4.707	11%

## ANNUAL REPORT

# GLOBAL BRANDS

*BusinessWeek/Interbrand* rank the companies that best built their images—and made them stick

BY ROBERT BERNER AND DAVID KILEY

ADVERTISERS WHO WANT TO REACH THE Publics family of Montgomery, Ohio, have to leap a lot of hurdles. Telemarketing? Forget it—the family of five has Caller ID. The Internet? No way—they long ago installed spam and pop-up ad blockers on their three home computers. Radio? Rudy Publics, 47, has non-commercial satellite radio in his car and in the home. Television? Not likely—the family records its favorite shows on TiVo and skips most ads. “The real beauty is that if we choose to shut advertising out, we can,” Rudy says. “We call the shots with advertisers today.”

The Publics and other ad-sipping consumers like them pose an enormous challenge these days to marketers trying to build new brands and nurture old ones. To get a reading on which brands are succeeding—and which aren’t—take a look at the fifth annual *BusinessWeek/Interbrand* ranking of the 100 most valuable global brands. The names that gained the most in value focus ruthlessly on every detail of their brands, having simple, cohesive identities that are consistent in every product, in every market around the world, and in every contact with consumers. (In the ranking, which is compiled in partnership with brand consultancy Interbrand Corp., a dollar value is calculated for each brand using publicly available

data, projected profits, and variables such as market leadership.)

The best brand builders are also intensely creative in getting their message out. Many of the biggest and most established brands, from Coke to Marlboro, achieved their global lust decades ago by helping to pioneer the 30-second TV commercial. But it’s a different world now. The monolithic TV networks have splintered into scores of cable channels, and mass-market publications have given way to special-interest magazines aimed at smaller groups. Given that fragmentation, it’s not surprising that there’s a new generation of brands, including

Amazon.com, eBay, and Starbucks, that have amassed huge global value with little traditional advertising. They’ve discovered new ways to capture and intrigue consumers. Now the more mature brands are going to school on the achievements of the upstarts and adapting the new techniques for themselves.

So how do you build a brand in a world in which consumers are increasingly in control of the media? The brands that rose to the top of our ranking all had widely varied marketing arsenals and were able to unleash different campaigns for different consumers in varied media almost simultaneously. They wove messages over multiple media channels and blurred the lines between ads and entertain-

### THE BIG WINNERS

High tech and finance got it right in this year’s ranking. America’s electronic flea market, eBay, has ended up on top, a few rungs above Apple.

Samurai repeats from last year, as does HSBC. Joining the megabank is financial powerhouse UBS.

RANK	BRAND	2007 VALUE (\$BIL.)	2008 VALUE (\$BIL.)	PERCENT CHANGE
35	EBAY	\$5.70	\$4.70	+21%
23	HSBC	10.43	8.67	+20
20	SAMSUNG	14.96	12.55	+19
41	APPLE	799	6.87	+16
44	UBS	767	6.53	+16

Value based on Interbrand Corp. *Interbrand* Corp. & Co. Thomas H. Morgan & Co.

RANK 2004/2004	2004 RANK	2004 BRAND NAME	2004 BRAND VALUE \$ MILLIONS	2004 BRAND VALUE \$ MILLIONS	PERCENT CHANGE	COUNTRY OF ORIGIN	DESCRIPTION
16	17	BMW	17,126	15,886	8%	Germany	BMW is in the fast lane, proving that the right mix of engineering and marketing can propel an auto maker's performance even in tough markets.
17	16	CISCO	16,592	15,948	4%	U.S.	Partnered with Microsoft to tackle Internet security and limit damage from viruses. A new focus on small business is paying off.
18	44	LOUIS VUITTON	16,077	NA	NA	France	With Uma Thurman promoting its hot new Monogram Canvas collection, the world's richest luxury brand seems unstoppable.
18	18	HONDA	15,788	14,874	6%	Japan	Consumers can't get enough of Honda. Now it plans to boost annual North American production to 1.4 million vehicles by 2007.
20	21	SAMSUNG	14,966	12,553	19%	S. Korea	One big brand marketed everywhere, plus an explosion of popular cell phones, is boosting sales of all its gadgets.
21	25	DELL	13,231	11,500	15%	U.S.	It has the biggest market share in personal computers and is now aggressively pushing printers, TVs, and laptops as PC demand slows.
22	19	FORD	13,160	14,475	-9%	U.S.	Mustang is red hot. But SUVs and pickups, which had been top money-makers, are cold, and competition hammers truck profit margins.
23	22	PEPSI	12,399	12,066	3%	U.S.	Increasing emphasis on Diet Pepsi and Hispanic marketing, plus big-event advertising on the Super Bowl and Oscars is boosting brand growth.
24	23	NESCAFE	12,241	11,892	3%	Switzerland	Holding its own in the Starbucks era by offering ready-to-drink products such as ice Java coffee coolers.
25	26	MERRILL LYNCH	12,018	11,499	5%	U.S.	Its revamped retail brokerage business is increasingly being recognized as the best performer in the industry.
26	24	BUDWEISER	11,878	11,846	0%	U.S.	The King of Beers sputtered a bit in 2004, owing to competition from domestic brewers and spirit makers. Bud is battling back with new products.
27	28	ORACLE	10,887	10,935	0%	U.S.	Winning the battle for PeopleSoft and two other acquisitions, was easy. Oracle now has to integrate all of those products and employees.
28	20	SONY	10,754	12,799	-16%	Japan	Top priority for Sir Howard Stringer, Sony's first ever global CEO: getting the company's consumer electronics bit back on track.
29	33	HSBC	10,429	8,571	20%	Britain	HSBC's three-year-old campaign, "The World's Local Bank," is paying dividends as it rebrands international acquisitions.
30	31	NIKE	10,114	9,260	9%	U.S.	While rivals branch out into hip hop, Nike focuses on athletics. The swoosh overtook Adidas as the biggest supplier of soccer shoes in Europe.
31	29	PFIZER	9,981	10,635	-6%	U.S.	Patent expirations and a weak new-product pipeline hurt the No. 1 drugmaker's prospects. A cost-cutting push won't cure those ailments.
32	NEW	UPS	9,923	New	New	U.S.	Buying regional shippers and rebranding them has enabled Brown to benefit from explosion in mail order and Net selling.
33	27	MORGAN STANLEY	9,777	11,498	-15%	U.S.	Very public management turmoil and the ouster of CEO Philip J. Purcell seriously damaged the firm's sterling reputation.
34	30	JPMORGAN	9,455	9,782	-3%	U.S.	JPMorgan Chase's venerable name has taken its lumps as the bank struggles to absorb its latest acquisition, Chicago's Bank One.
35	35	CANON	9,044	8,055	12%	Japan	Color copiers and top-notch cameras make Canon one of Japan's most profitable companies. Tennis star Maria Sharapova adds star quality.
36	34	SAP	9,006	8,323	8%	Germany	The software giant gained brand value thanks to innovation and smart marketing, but rival Oracle grabbed headlines with its PeopleSoft takeover.
37	37	GOLDMAN SACHS	8,485	7,954	7%	U.S.	Prestige and stability count for a lot, especially when other firms have high-profile management traumas.
38	NEW	GOOGLE	8,461	New	New	U.S.	Google spent \$5 million on marketing in 2004, a fraction of the totals spent by competitors. Yet more people than ever go to Google to search.
39	36	KELLOGG'S	8,306	8,029	3%	U.S.	Cereal is up and acquired brands like Kashi and Morningstar Farms are up even more. International growth is strong.
40	38	GAP	8,195	7,873	4%	U.S.	Sarah Jessica Parker couldn't fend off lackluster sales in 2004. Now the clothier is betting on remodeled stores to move more merchandise.
41	43	APPLE	7,985	6,871	16%	U.S.	With iPod mania showing no signs of abating, Apple's brand is hotter than ever. That's giving a lift to Mac sales and sets the stage for new offerings.
42	40	IKEA	7,817	7,182	9%	Sweden	The Swedish furniture giant continues to boost sales through smart design and aggressive geographic expansion.
43	NEW	NOVARTIS	7,746	New	New	Switzerland	A heavy advertiser, it ran ads during the Super Bowl and is big in Internet search advertising.
44	45	UBS	7,565	6,526	16%	Switzerland	Its global brand strategy is winning new customers for private wealth management business.

Crediting and measuring  
brand value

Interbrand

As seen in BusinessWeek, August 5-11, 2004

**SOFRANK SON HAS  
A NEW BROADBAND  
STRATEGY**

**JOHN KERRY  
HIS NEW PLAN FOR  
FOREIGN POLICY**

**AMERICAN EXPRESS  
LAUNCHING A CREDIT  
CARD WAR**

# BusinessWeek

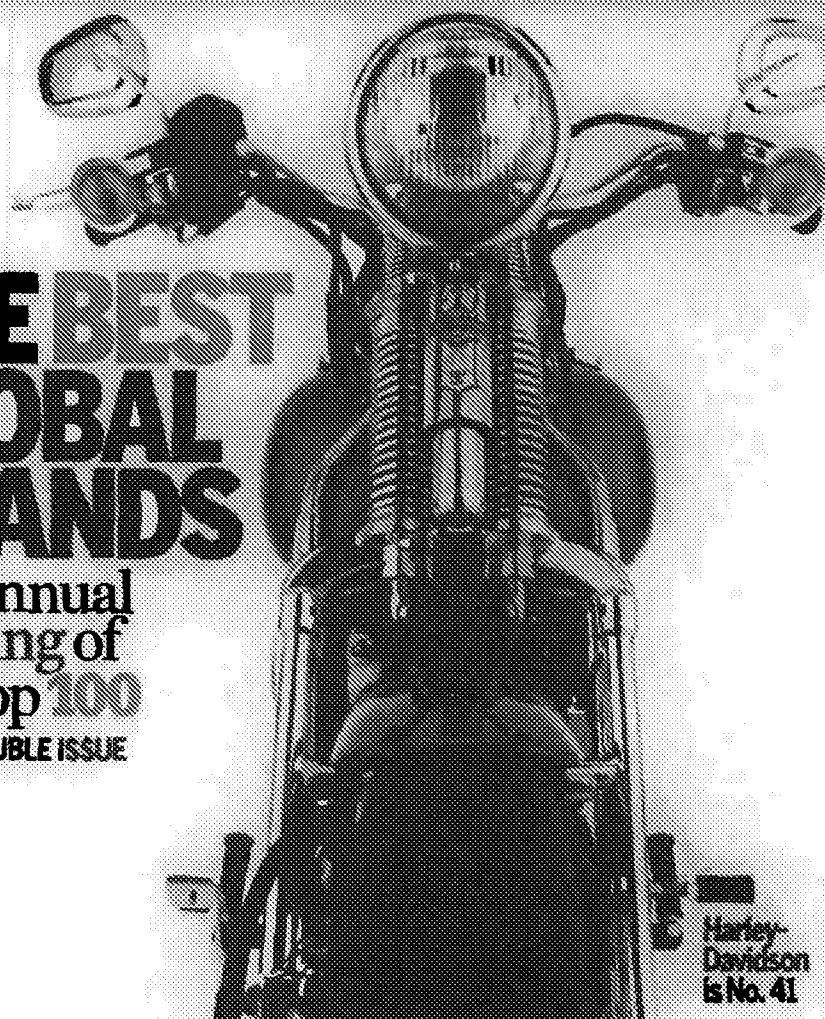
ASIAN EDITION / AUGUST 5-11, 2004

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## THE BEST GLOBAL BRANDS

Our Annual  
Ranking of  
The Top 100

SPECIAL DOUBLE ISSUE



Harley-  
Davidson  
is No. 41

INTERVIEW



RANK WEEK 7, 2004		2003 SALES \$BIL.	2004 SALES \$BIL.	PERCENT CHANGE	MARKET OF CONSUMER	DESCRIPTION
16	17 CISCO	15,948	15,789	-1%	U.S.	The networking behemoth used slick TV ads and key accounts to extend its reach.
17	19 BMW	15,858	15,406	-3%	Germany	The Bavarian auto maker is powering higher sales with a raft of new models from the sleek 6 Series sports coupe to the X3 entry SUV.
18	18 HONDA	14,874	15,625	+5%	Japan	Overlapped by Nissan at home and taking further behind rival Toyota in the U.S. market.
19	14 FORD	14,475	13,886	-4%	U.S.	Ford is trying to make quality "hot line" again after an embarrassing run of glitches, but keen consumers haven't yet regained trust.
20	20 SONY	12,759	13,163	+3%	Japan	It was late in the LCD TV boom, and the P22 video game console is slipping, though rival Samsung is in Sony's face.
21	25 SAMSUNG	12,563	12,846	+2%	S. Korea	For longer known just for undercutting the prices of big Japanese brands, the Korean consumer-electronics dynamo is suddenly cool.
22	23 PEPSI	12,066	11,777	-2%	U.S.	Targeted marketing and ads strode with stars like soccer star David Beckham have boosted the No. 2 cola maker to steal some of Coke's fizz.
23	21 NESCAFE	11,972	12,136	+1%	Switzerland	It's still the world's favorite instant coffee, but green products like soy-based blends against hot coffee brands like Starbucks.
24	22 BUDWEISER	11,866	11,894	0%	U.S.	The growing global low-carb trend has left Bud flat. Plus, it's under attack from buzzed-up and feisty rival Miller.
25	29 DELL	11,500	10,367	-11%	U.S.	With its reputation for low prices and fast delivery, Dell continued to move competitors in this dust.
26	27 MERRILL LYNCH	11,499	10,521	-9%	U.S.	A painful overhaul is behind it. Now the retail brokerage is back in money and expansion mode.
27	26 MORGAN STANLEY	11,496	10,695	-8%	U.S.	The investment bank's reputation is rising along with mergers and stock issues, so its specialty.
28	24 ORACLE	10,936	11,263	+3%	U.S.	The database-software business is up, too. CEO Lawrence Ellison's fight to buy rival PeopleSoft never. Oracle took over a corporate rival.
29	28 PFIZER	10,836	10,455	-4%	U.S.	The pharma industry's powerhouse, with 11 products each expected to top \$1 billion in annual sales this year.
30	31 J.P. MORGAN	9,782	9,120	-7%	U.S.	The insurance investment bank has a solid plan, but now can extend its reach with its \$58 billion acquisition of Bank One Corp.
31	33 NIKE	9,360	9,167	-2%	U.S.	With allegations of sweatshop operations and a growing soccer craze, Nike rules the athletic market.
32	30 MERCK	8,811	9,407	+7%	U.S.	The drugmaker has tried to bolster its lineup with more partnerships, but patent expirations and research lags still persist.
33	37 HSBC	8,671	7,568	-13%	Britain	After snapping up Household International in 2001, the "world's local bank" is making inroads in the U.S. market.
34	35 SAP	8,523	7,714	-9%	Germany	Its establishment image and sharp marketing have helped SAP thrive in a volatile software market.
35	39 CANON	8,054	7,187	-12%	Japan	Hot digital cameras and printers boosted sales, but up an expanded line of sleek color copiers.
36	38 KELLOGG'S	8,009	7,438	-7%	U.S.	Jumping on the low-carb bandwagon has kept Kellogg's cereal business cracking.
37	41 GOLDMAN SACHS	7,954	7,039	-12%	U.S.	With recent profits, it remains one of the most prestigious institutions on Wall Street.
38	36 GAP	7,873	7,686	-2%	U.S.	The retail chain has revived its brand with fun, youthful and celebrity endorsements.
39	NEW SIEMENS	7,470	Now	Now	Germany	The Munich conglomerate halted everything from phone to power plants to saving a painful from years of global image basking.
40	43 IKEA	7,382	6,318	-14%	Sweden	The Swedish home-furnishing chain is now pushing cheap chic furnishings as far as Russia and Asia.
41	44 HARLEY-DAVIDSON	7,057	6,775	-4%	U.S.	The motorcycle icon has boosted fan heights in new series and lowered prices, but production limits put a brake on growth.
42	40 HEINZ	7,026	7,097	+1%	U.S.	Despite wacky colors and cult ads, it's moving hard to boost value in foods like ketchup and beans.
43	50 APPLE	6,871	5,554	-20%	U.S.	The first digital music player gave one of the world's coolest brands the consumer electronics hall of fame.
44	45 LOUIS VUITTON	6,602	6,708	+2%	France	It has a hot Monogram line and designer Loper in its ads, but is Vuitton getting overexposed?

Special Report

# THE 100 TOP BRANDS

Here's how we calculate the power in a name

**T**o rank the world's 500 most valuable global brands, we set three hurdles that all contenders have to meet to merit consideration.

First, they must have brand value greater than \$1 billion. They also have to be global in nature, meaning they must derive at least a third of their sales from outside their home countries and have significant distribution throughout the Americas, Europe, and Asia. Finally, they must have publicly available marketing and financial data. That excluded some big brands, such as Visa International, the SEC, and Mars.

How do you place a value on a brand? Some attempts rely on little more than opinion polls or ad spending. *BusinessWeek* selected Interbrand's method because it values brands the same way analysts value other assets: on the basis of how much they're likely to earn in the future. Those projected

profits are then discounted to a present value based on how risky the projected earnings are—that is, the likelihood that they will, in fact, materialize.

To start the process, Interbrand first figures out what the brand's overall sales are. (The brand may be almost the entire company, as in the case of McDonald's Corp. For others, such as Marlboro, it may be just a portion.) Next, with the help of analysts from J.P. Morgan Chase & Co., Citigroup, and Morgan Stanley, Interbrand projects net earnings for the brand. It then deducts a charge for the cost of owning the tangible assets, on the theory that whatever income is generated beyond that cost is due to intangible factors. This is the economic value added by things like patents, customer lists, and, of course, the brand.

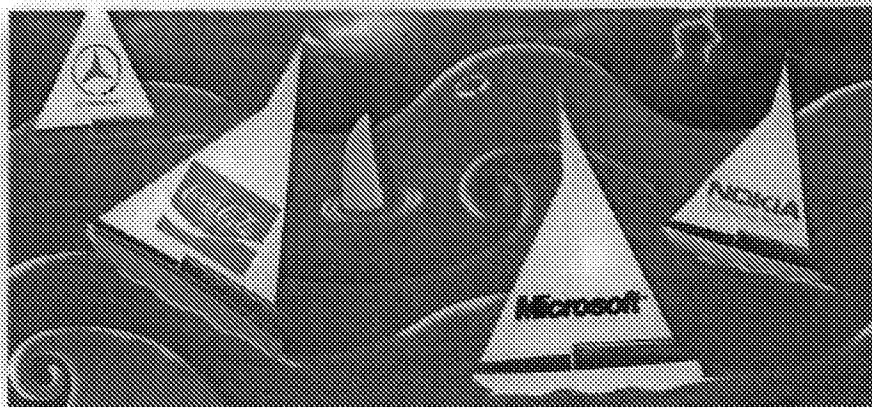
The next step is to winnow the earnings generated by the brand from the

earnings generated by other intangibles. For example, are people buying Shell gasoline because of the brand name or because the gas station is conveniently located? Interbrand uses market research and interviews with industry executives to sift through those variables.

The final phase is to analyze the strength of the brand to figure out how risky those future brand earnings are. To calculate the brand's strength, Interbrand looks at seven factors, including the brand's market leadership, its stability, and its ability to cross geographic and cultural borders. The risk analysis produces a discount rate that is applied to the brand earnings to come up with a net present value. *BusinessWeek* and Interbrand believe this figure comes closest to representing the true economic value of that complex array of forces that make up a brand.



The Global Brand Scoreboard					
NAME	2002 BRAND VALUE \$BILIONS	2001 BRAND VALUE \$BILIONS	PERCENT CHANGE	COUNTRY OF ORIGIN	DESCRIPTION
#1 COCA-COLA	7.10	7.05	+3	U.S.	The world's favorite beverage now comes in upscale-liter bottles and comes in the "water blue" for nonalcoholic taste.
#2 COLUMBIAN COFFEE	7.04	7.19	-2	U.S.	Having capital for Corporate America made it arguably the most prominent roaster in the world. But a drought in margins and equity issues took a toll.
#3 MERCEDES	6.94	7.21	-4	Germany	The German maker of quality mass-market cars suffered from high costs, an aging lineup, fierce French competition, and a wave of overvaluing brands.
#4 IKEA	6.92	6.55	+6	Sweden	The chain made flat-packed furniture both affordable and fashionable, bringing its concept of democratic design to 31 countries.
#5 B&W BREAD	6.78	6.27	+8	U.S.	After customers still think it's better when they think it's better. They're also rich enough to afford such innovations as the sleek \$18,000 V-flo.
#6 L'ORÉAL	6.71	7.05	-5	France	A downturn in tourism slowed the massive profits made by the company's hair and skin care.
#7 KFC	6.29	6.08	+3	U.S.	Still a big player among fast-food chains, but not just in the U.S. KFC International was one of the fastest-growing businesses at parent Yumco Inc.
#8 L'ORÉAL	5.60	5.08	+10	France	Who's trying to conquer France? Not the millions of women who made L'Oréal the No. 1 cosmetics seller in the U.S.
#9 XEROX	5.58	5.31	+5	U.S.	With new financing and a range of new color products, the troubled copier company's image was on the mend.
#10 KFC	5.58	5.35	+4	U.S.	The chicken chain's global business by promoting local fare—tandoori spicy dips in Japan and potato and onion croquettes in Holland.
#11 APPLE	5.55	5.32	+4	U.S.	The "i" have a—iPod, iTunes, and iBooks lifted the personal computing, while the innovative Mac OS X download service hit hard in the dust.
#12 PIZZA HUT	5.31	6.05	-12	U.S.	The dough wasn't rising. After restaurant sales were hurt by SARS, while at home the chain was slow to bring popular new products such as wings.
#13 KODAK	5.30	5.18	+2	U.S.	Hit hard by the slump in film sales, the Connecticut icon took its own advice and finally built its watermark specialty.
#14 GUCI	5.10	5.30	-4	Italy	Chief designer Tom Ford was still a hit on the catwalks of Paris and New York, but Gucci's profits were strangled by economic stagnation and SARS.
#15 ELLERRE	5.06	5.04	0	U.S.	From Bramante's 19th-century to 20th-century, the leader didn't manage to put out some fast ideas.
#16 WALKER'S	5.06	4.75	+7	U.S.	After all campaigns to restore core brands, Walkers sold Doublemint and introduced a new sugar-free gum line, revitalized the chew-chew train.
#17 DELL	4.89	4.60	+2	U.S.	As it entered the end of its second century, the brand continued to win over more smiles.
#18 AVON	4.63	4.40	+5	U.S.	The Avon Ladies were on a tear, leveraging healthy R&D and marketing budgets through online sales and an expanding door-to-door network.
#19 BENetton Group	4.47	4.77	-6	U.S.	A perception that this computer maker wasn't keeping up with technology trends made it appear as less than cutting-edge.
#20 PHILIPS	4.46	4.56	-2	Netherlands	In Europe, its name equals home electronics, but Philips struggled with weakness in the U.S. and particularly tough competition from Asia.
#21 NESTLÉ	4.45	4.43	+1	Switzerland	From chocolate to baby formula, the Swiss firm gave birth to the world's pantry staples.
#22 CHANEL	4.32	4.27	+1	France	A symbol of Parisian sophistication for more generations, but Chanel had a harder time using younger customers.
#23 Borden	4.24	4.05	+5	France	The maker of Borden yogurt, already a powerhouse in Europe, was betting big on emerging markets.
#24 B&W	4.17	4.08	+2	U.S.	The maker of the eat-at-home soups with new flavors—pizza and other products but lost share on its cheese business to private labels.
#25 AOL	3.96	4.33	-8	U.S.	Chen slashed the "streamline" branding, making the deal-up services more attractive to subscribers as they graduated to broadband connections.
#26 YAHOO!	3.90	3.86	+1	U.S.	This Internet icon soared again but will have to watch out for the Net's next killer brand, Google.
#27 TIME	3.79	3.63	+4	U.S.	After winning a National Magazine Award for coverage of September 11, the weekly ramped up again with excellent war reporting and photography.
#28 ADIDAS	3.68	3.69	0	Germany	The maker of athletic shoes and clothing stirred a surge in U.S. sales as youths talked at paying more than \$100 for a pair of sneakers.
#29 B&W	3.67	3.69	0	Switzerland	Tough times forced to put a dent in the popularity of the signature Swiss watch.
#30 BP	3.58	3.39	+6	Britain	John Browne was once again front and center with his controversial "Beyond Petroleum" campaign. A magazine in Russia also helped.



# THE BEST GLOBAL BRANDS

*BusinessWeek* and **INTERBRAND** tell you what they're worth

**W**ireless phones. Consumer electronics. Memory chips. Could you pick three tougher lines of business to be in right now? Samsung, with just such a portfolio, Samsung Electronics Co. managed to more than double its profits in the most recent quarter, to \$1.6 billion.

How? Once a household manufacturer of consumer electronics largely sold under other companies' names, South Korea-based Samsung is reaping the rewards of moving aggressively into higher-end products that carry better profit margins. It has focused heavily to produce cutting-edge designs, from flat-panel TV monitors that can be hung on walls like paintings to an elegantly thin DVD player. The company moved up the memory-chip price chain to sell more devices to video game makers. And it became the No. 3 producer of cell phones, with a premium-priced line that includes handsets with color screens.

But just as critical as the turnover in product was the face-lift Samsung gave its brand. Last year, it laid a \$500 tab at creating a new image with visually arresting ad—such as

one that posed an impossibly stylish woman in blue makeup, yellow and purple, and garish feathers next to one of its TV monitors. This year, it plans to spend \$100 million on ads focused on the company's promise to provide a "Digital Experience." That's an attempt to drive home the link between Samsung's new upscale image and the lifestyle its customers crave, says Eric B. Kim, executive vice-president for global marketing operations. Says Kim: "This is our first attempt to be at the leading edge rather than being a follower."

Now more than ever, companies use the power of a strong brand. At a time when battered investors, customers, and employees are questioning whom

they can trust, the ability of a familiar brand to deliver proven value flows straight to the bottom line. If, shaken by the plummeting stock market and concerned about the security of their jobs, consumers start cutting back on spending, they're more likely to stick with names they know they can rely on. "When a brand earns our trust, we not only repeat our purchases, but we also tell all of our friends about it," says David Martin, U.K. president of New York-based In-

## SPECIAL REPORT

## The Global Brand Scoreboard

RANK	2001 BRAND VALUE (\$BIL.)	2000 BRAND VALUE (\$BIL.)	PERCENT CHANGE	COUNTRY OF ORIGIN	DESCRIPTION
40. BOLLIGGS S	7.19	7.01	+3	U.S.	State of innovation, and a Disney alliance that put Buzz Lightyear on cereal boxes, renewed the brand's relevance.
41. LOUIS VUITTON	7.05	7.05	0	France	Still a fashion must-have, particularly in Asia, but sales have been anemic because of post-September 11 travel decline.
42. SAP	6.78	6.31	+7	Germany	SAP has delivered on theme, "The best-run businesses run SAP." The software maker benefited from a flight to established suppliers.
43. CANON	6.72	6.68	+2	Japan	A reasonable performance in a camera market that is settling about its growth. And it's gaining an Xerox in copiers.
44. IKEA	6.55	6.01	+9	Sweden	Resonant brand benefited from the weak economy, which made more customers willing to assemble their own tables.
45. PEPSI	6.39	6.21	+3	U.S.	Innovators keep coming, like Lemon-Flavored Pepsi Next. But biggest challenge is a consumer shift to bottled water and juice.
46. HUGO BOSS	6.27	5.53	+13	U.S.	Memorial job of selling Baby Beemers on a high-margin symbol of youth-ad rebellion.
47. MTV	6.08	6.60	-8	U.S.	Phenomenal success of The Osbournes shows MTV still has its spark. Unfortunately, the ad market is dead.
48. PIZZA HUT	6.05	6.00	+1	U.S.	Tough market, but the chain upgraded its restaurants and added new products like P-Zone, Twisted Crust, and Queso.
49. KFC	5.35	5.26	+2	U.S.	Introduced Popcorn Chicken, new Chicken Twister sandwich, and restaurants co-branded with corporate sibling Pizza Hut.
50. APPLE	5.32	5.45	-3	U.S.	A well-received new iMac couldn't overcome weak sales to consumers and design professionals.
51. XEROX	5.31	6.02	-12	U.S.	Trying to dodge its stodgy image, with digital and high-speed copiers. But a financial cloud lingers.
52. GUCCI	5.30	5.27	+1	Italy	The ongoing allure of lead designer Tom Ford could offset a slow start to 2002.
53. ACCENTURE	5.18	NA	NA	U.S.	In light of former parent Arthur Andersen's fate, Accenture's branding initiative looks like sheer brilliance.
54. L'OREAL	5.08	NA	NA	France	No slowdown here. The brand now gets more than half its sales outside Europe, thanks to smart acquisitions.
55. KLEENEX	5.04	5.09	-1	U.S.	Kleenex held most of its value because of innovations like Kleenex Tissues, for car door pockets.
56. SUN	4.79	5.15	-7	U.S.	Sun still leads in soaps, but must deal with the implosion of the once-little deodorant sector.
57. WIRGLY'S	4.75	4.53	+5	U.S.	Innovations kept the Wirglie's brand fresh. Can "handcuff" products like tooth-cleaning gum add further strength?
58. REUTERS	4.61	5.24	-12	Britain	Reuters lost considerable ground to Bloomberg as customers flat its old-fashioned image and poor service.
59. COLEGATE	4.60	4.57	+1	U.S.	A toothpaste-whitening combi and other novelties helped offset slipping share in other product areas.
60. PHILIPS	4.56	4.50	+7	Netherlands	Perfect in Europe but weak in North America, the brand was dogged by tough consumer-electronics markets and lackluster U.S. marketing.
61. NESTLE	4.43	NA	NA	Switzerland	The king of chocolate, cookies, and baby food is eating up U.S. ice cream with Dreyer's.
62. JIF	4.40	4.37	+1	U.S.	A makeover of its salad dress and product lines boosted U.S. sales. But Jif has stumbled with its foray into retail sales.
63. AOL	4.33	4.50	-4	U.S.	Few signs of promised synergies following merger with Time Warner, and AOL's subscriber growth has slowed.
64. CHANEL	4.27	4.27	0	France	The perfume and fashion icon held its own in a tough global economy.
65. GRAFT	4.08	4.03	+1	U.S.	Still dominates lineup, stretching from cheese to salad dressing, and isn't afraid to use its muscle to get the best store display.
66. DANONE	4.05	NA	NA	France	No. 1 in yogurt outside the U.S. and No. 2 in water, Danone is well-positioned to benefit from health worries.
67. YAHOO!	3.96	4.38	-12	U.S.	Forget the ad slump. Yahoo needs to prove it is relevant to consumers as they become more experienced at browsing.
68. ARBOR	3.69	3.65	+1	Germany	Benefited from World Cup fever, but still has little appeal among trend-setting black and Hispanic youth.
69. ROLEX	3.69	3.70	0	Switzerland	There's nothing like a classy watch in bad times. But improved sales must wait.

Data: Interbrand Corp., J.P. Morgan Chase &amp; Co., BusinessWeek

# THE 100 TOP BRANDS

Our first ranking of the world's most valuable brands

**T**he table that follows ranks 100 global brands that have a value greater than \$1 billion. The brands were selected according to two criteria. They had to be global in nature, deriving 20% or more of sales from outside their home country. They also had to be publicly available marketing and financial data on which to base the valuation. That excluded some big

options such as ad spend, sales, etc. Interbrand selected Interbrand's method because it values brands the same way analysts value other assets on the basis of how much they're likely to earn going forward. Those future earnings are then discounted to a present value based on how risky the earnings are, that is, the likelihood that they will actually materialize.

To start the process, Interbrand first figures out what percentage of overall revenues are accounted for by the brand. Next, with the help of analysts from Capgemini, Interbrand projects the net earnings for that segment of the business. Interbrand then deducts a charge for the cost of owning the tangible assets, on the theory that whatever income is generated beyond that cost is due to intangible factors. This is the economic value added by such intangibles as patents, customer lists, and, of course, the brand.

The next step is to winnow the earnings generated by the brand from the earnings generated by other intangibles. For example, are people buying Shell gas because of the brand name or because the gas station is conveniently located? Interbrand uses market research and interviews with industry executives to sift through these variables.

The third and final phase is to analyze the strength of the brand in order to figure out how risky those future brand earnings are. To calculate the brand's strength, Interbrand looks at seven factors, including the brand's market leadership, its stability, and its ability to cross geographical and cultural borders. The risk analysis produces a discount rate which is applied to the brand earnings to come up with a net present value of the brand. *BusinessWeek* and Interbrand believe that this figure comes closest to representing the true economic value of that complex array of forces that make up a brand.

## Special Report

brands, such as Visa, Inc., Mars, and Coca-Cola. The table of individual brands is followed by a table of leading brand portfolios, since some companies create significant brand value by managing a group of brands. Procter & Gamble, for example, owns Pampers, Crest, and Tide.

There are many ways to rank brands. Some rankings rely on little more than

## The Global Brand Scoreboard

RANK	2001 BRAND VALUE (\$BIL.)	2000 BRAND VALUE (\$BIL.)	PERCENT CHANGE	COUNTRY OF ORIGIN	DESCRIPTION
1	COCA-COLA	57.00	71.44	U.S.	Coca-Cola is the top brand in the world.
2	MICROSOFT	54.01	50.04	U.S.	Microsoft is the second most valuable brand in the world.
3	IBM	52.94	53.18	U.S.	IBM is the third most valuable brand in the world.
4	GE	47.40	48.13	U.S.	The General Electric brand is the fourth most valuable brand in the world.
5	WAL-MART	47.04	48.13	U.S.	The Wal-Mart brand is the fifth most valuable brand in the world.
6	WELLS FARGO	44.01	40.00	U.S.	Wells Fargo is the sixth most valuable brand in the world.
7	WELLS FARGO	44.01	40.00	U.S.	Wells Fargo is the seventh most valuable brand in the world.
8	WELLS FARGO	44.01	40.00	U.S.	Wells Fargo is the eighth most valuable brand in the world.
9	WELLS FARGO	44.01	40.00	U.S.	Wells Fargo is the ninth most valuable brand in the world.
10	WELLS FARGO	44.01	40.00	U.S.	Wells Fargo is the tenth most valuable brand in the world.

Data sources: Capgemini, Interbrand



NAME	2000 BRAND VALUE (\$ MIL.)	1999 BRAND VALUE (\$ MIL.)	PERCENT CHANGE	COUNTRY OF ORIGIN	DESCRIPTION
40. JENNY	4.02	3.70	8	U.S.	Convenience-oriented, quantitative marketing management concept that isn't going away.
41. JEA	4.01	3.93	2	Germany	Its power is growing that along with an international movement.
42. PIZZA HUT	3.98	NA	NA	U.S.	After working with the state police and the FBI, Pizza Hut will begin to look for a way to get into the state's market.
43. HARLEY-DAVIDSON	3.93	NA	NA	U.S.	The owner of the past present state the company has it needs to get through today to come around.
44. APPLE	3.47	3.39	2	U.S.	Apple continues to focus on developing products and strategies to help users control the way they work.
45. BUNGE	3.38	3.13	8	Canada	Monopoly coffee with just enough time to come back to the market.
46. HFC	3.24	NA	NA	U.S.	King of the world's largest most successful bank, looking for ways to grow with other banks in other locations.
47. BENTLEY	3.24	3.02	7	Britain	On the one of its 10th anniversary, the Bentley car has a new application, performance, and a new look.
48. THE MICROSYSTEMS	3.13	NA	NA	U.S.	While the company's name suggests during the first quarter, "the" is in the name, and it's not a good thing.
49. ALKERM	3.04	2.74	10	U.S.	Pharmaceutical company focuses beyond more widely in treating, research, and other areas of interest.
50. PHILIPS	2.99	2.94	2	Netherlands	After a decade in Europe, Philips is now in the U.S. market, and it's not just about the product of its own company.
51. CALSAG	2.97	2.42	23	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
52. WHOLEY'S	2.93	2.22	32	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
53. AOL	2.90	2.83	2	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
54. HUGO	2.88	2.82	2	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
55. HONDA	2.87	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
56. CUMMINS	2.87	2.74	5	France	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
57. DUCATI	2.84	2.80	1	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
58. HONDA	2.84	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
59. TEXAS INSTRUMENTS	2.84	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
60. HERTZ	2.83	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
61. MOTOROLA	2.76	2.75	0	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
62. LEPPY	2.71	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
63. TWA	2.70	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
64. ROLEX	2.70	2.68	1	Switzerland	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
65. ADIDAS	2.65	2.70	-2	Germany	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
66. HERTZ	2.62	2.44	7	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
67. PANASONIC	2.49	2.73	-10	Japan	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
68. INFANT	2.46	NA	NA	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
69. BP	2.45	2.37	3	Britain	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
70. BACARDI	2.37	2.18	9	Cuba	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
71. AMAZON.COM	2.13	2.03	5	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.
72. DELL	2.04	2.19	-7	U.S.	After a decade in the U.S. market, Philips is now in the U.S. market, and it's not just about the product of its own company.

Data sourced from BusinessWeek

# **Exhibit 4**

Google | GE | Microsoft | Coca-Cola | China Mobile | IBM | Apple | McDonald's  
 Nokia | Marlboro | Vodafone | Toyota | Wal-Mart | Bank of America | Cit | HP  
 BMW | ICBC | Louis Vuitton | American Express | Wells Fargo | Cisco | Disney | UPS  
 Tesco | Oracle | Intel | Starbucks | HSBC | Mercedes | Honda | L'Oréal | Pepsi  
 Verizon Wireless | Royal Bank of Canada | HSBC | Mercedes | Honda | L'Oréal | Pepsi  
 Home Depot | Dell | Deutsche Bank | ING | Carrefour | NTT DoCoMo | Target | Siemens  
 Banco Santander | Accenture | Orange | BlackBerry | Chase | Nike | Canon | AT&T | Starbucks  
 Goldman Sachs | Samsung | Nissan | Marks & Spencer | Amazon | Yahoo! | Morgan Stanley  
 UBS | eBay | H&M | Wachovia | Ford | Chevrolet | Budweiser | Colgate | Harley-Davidson  
 Schway | Merrill Lynch | JP Morgan | Hermes | BBVA | State Farm | Gucci | Cartier | FedEx  
 Tide | T-Mobile | Zara | Chanel | IKEA | Aiel | Movistar | MTS | Esprit | TIM | Motorola  
 Barclays | Avon | Auchan | VW | AXA | AIG | MasterCard | Standard Chartered Bank



Millward Brown  
 Optimor

# Top 100 Most Powerful BRANDS

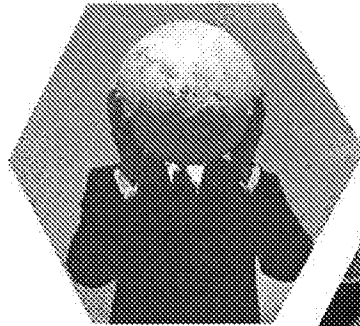
08

brandz **QZ**  
 The A to Z of brands

## Top 100 Brands

POSITION	BRAND*	BRAND VALUE \$M	BRAND VALUE CHANGE
1	Google	86,057	30%
2	GE (General Electric)	71,379	15%
3	Microsoft	70,887	29%
4	Coca-Cola (1)	58,208	17%
5	China Mobile	57,225	39%
6	IBM	55,335	65%
7	Apple	55,206	123%
8	McDonald's	49,499	49%
9	Nokia	43,975	39%
10	Marlboro	37,324	-5%
11	Vodafone	36,962	75%
12	Toyota	35,134	5%
13	Wal-Mart	34,547	-6%
14	Bank of America	33,092	15%
15	Citi	30,318	-10%
16	HP	29,278	17%
17	BMW	28,015	9%
18	ICBC	28,004	70%
19	Louis Vuitton	25,739	13%
20	American Express	24,816	7%
21	Wells Fargo	24,739	2%
22	Cisco	24,101	28%
23	Disney	23,705	5%
24	UPS	23,610	-4%
25	Tesco	23,208	39%
26	Oracle	22,904	29%
27	Intel	22,027	18%
28	Porsche	21,718	62%
29	SAP	21,669	20%
30	Gillette	21,523	20%
31	China Construction Bank	19,603	82%
32	Bank of China	19,418	42%
33	Verizon Wireless	19,202	18%
34	Royal Bank of Canada	18,995	39%
35	HSBC	18,479	6%
36	Mercedes	18,044	1%

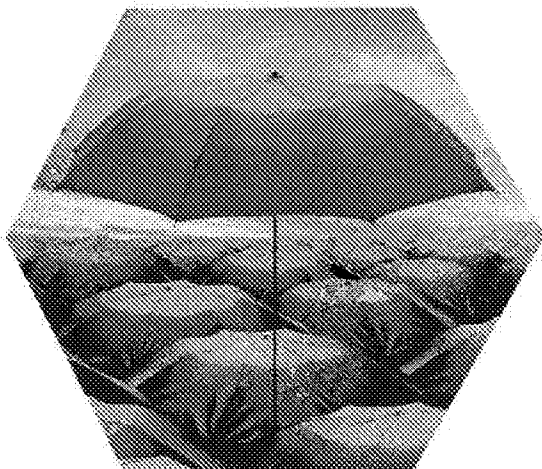




2007

# BRANDZ™

Top 100 Most Powerful Brands



# BRANDZ Top 100 Brand Ranking

## BRANDZ RANKING

#	Brand	Brand Value (\$m)	Brand Value Change (%)
1	Google	66,434	77%
2	GE (General Electric)	61,880	11%
3	Microsoft	54,951	-11%
4	Coca Cola (*)	44,134	7%
5	China Mobile	41,214	5%
6	Marlboro	39,166	2%
7	Wal-Mart	36,880	-2%
8	Citi	33,706	9%
9	IBM	33,572	-7%
10	Toyota	33,427	11%
11	McDonald's	33,138	14%
12	Nokia	31,670	19%
13	Bank of America	28,767	2%
14	BMW	25,751	8%
15	HP	24,987	27%
16	Apple	24,728	55%
17	UPS	24,580	13%
18	Wells Fargo	24,284	N.A.
19	American Express	23,113	23%
20	Louis Vuitton	22,686	16%
21	Disney	22,572	2%
22	Vodafone	21,107	-12%
23	NTT DoCoMo	19,450	0%
24	Cisco	18,812	-10%
25	Intel	18,707	-26%
26	Home Depot	18,335	-33%
27	SAP	18,103	N.A.
28	Gillette	17,954	1%
29	Mercedes	17,813	0%
30	Oracle	17,809	28%
31	HSBC	17,457	26%
32	Tesco	16,649	7%
33	ICBC	16,460	N.A.
34	Verizon Wireless	16,201	9%
35	Starbucks	16,057	45%
36	Honda	15,465	7%

\*Source: Millward Brown Optimor (including data from BRANDZ®, Datamonitor, and Bloomberg)

2006

 MillwardBrown  
Optimor

# BRANDZ™

Top 100  
Most  
Powerful  
Brands

## BRANDZ™ Top 100 Brand Ranking

BRANDZ™ RANKING			
#	Brand	Parent	Value (\$m)
1	Microsoft	Microsoft Corp.	62,039
2	GE	GE	55,834
3	Coca-Cola	The Coca-Cola Company	41,406
4	China Mobile	China Mobile (Hong Kong) Limited	39,168
5	Marlboro	Altria Group, Inc.	38,510
6	Wal-Mart	Wal-Mart Stores, Inc.	37,567
7	Google	Google Inc.	37,445
8	IBM	International Business Machines Corp.	36,084
9	Citibank	Citigroup Inc.	31,028
10	Toyota	Toyota Motor Corporation	30,201
11	McDonald's	McDonald's Corporation	28,985
12	Bank of America	Bank of America Corporation	28,155
13	Home Depot	The Home Depot (R)	27,312
14	Nokia	Nokia Corporation	26,538
15	Intel	Intel Corporation	25,156
16	Vodafone	Vodafone Group Plc	24,872
17	BMW	BMW Group	23,820
18	Disney	The Walt Disney Company	22,232
19	UPS	United Parcel Service of America, Inc.	21,529
20	Cisco	Cisco Systems, Inc.	20,922
21	HP	Hewlett-Packard Company	19,732
22	TIM	Telecom Italia Mobile SpA	19,551
23	NTT DoCoMo	NTT DoCoMo, Inc.	19,518
24	Louis Vuitton	LVMH Moët Hennessy Louis Vuitton SA	19,479
25	American Express	American Express Company	18,780
26	Dell	Dell Inc.	18,703
27	Gillette	Procter & Gamble	17,832
28	Mercedes	DaimlerChrysler AG	17,801
29	Apple	Apple Computer Inc.	15,976
30	Tesco	Tesco PLC	15,532
31	Telefonica Moviles	Telefonica, S.A.	15,188
32	Verizon Wireless	Verizon Communications Inc.	14,908
33	Honda	Honda Motor Co., Ltd.	14,394
34	Yahoo!	Yahoo! Inc.	14,101
35	Oracle	Oracle	13,913
36	HSBC	HSBC Holdings plc	13,889

Source: Millward Brown Optimor (with data from Euromonitor International and Bloomberg)

# **Exhibit 5**

Because they have 4 fixed wheels, the only move they can easily perform is a straight line.

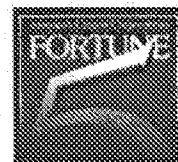
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## FORTUNE AMERICA'S MOST ADMIRABLE COMPANIES 2006

**Top 20**      [Full list](#)      [Companies](#)      [Industries](#)  
[No. 1s](#)      [Best & Worst](#)      [States](#)      [Global](#)

### Top 20

For the 20 most admired companies overall, FORTUNE's survey asked businesspeople to vote for the companies that they admired most, from any industry.

Rank	Company
1	<a href="#">General Electric</a>
2	<a href="#">FedEx</a>
3	<a href="#">Southwest Airlines</a>
4	<a href="#">Procter &amp; Gamble</a>
5	<a href="#">Starbucks</a>
6	<a href="#">Johnson &amp; Johnson</a>
7	<a href="#">Berkshire Hathaway</a>
8	<a href="#">Dell</a>
9	<a href="#">Toyota Motor</a>
10	<a href="#">Microsoft</a>
11	<a href="#">Apple Computer</a>
12	<a href="#">Wal-Mart Stores</a>
13*	<a href="#">United Parcel Service</a>
13*	<a href="#">Home Depot</a>
15*	<a href="#">PepsiCo</a>
15*	<a href="#">Costco Wholesale</a>

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\*Results as of 5/13/06

**How the s**

State

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**Most admi**

Company

[General Electric](#)

Procter & Gamble  
Google  
See the rest

**Plus: Most admired companies in your state**

Most admin

Company
<u>Apple Computer</u>
<u>Google</u>
<u>UnitedHealth Gro</u>
<b>See the rest</b>

Company

Home Depot

IBM

Toyota

**See the rest**

The Most Admired  
corporate reputa  
started with the

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\* : Time reflects local markets trading time. † - Intraday data delayed 15 minutes for Nasdaq, and 20 minutes for other exchanges. Intraday data delayed 15 minutes for Nasdaq, and 20 minutes for other exchanges. All Times are ET. Intraday data provided by Interactive Data. Terms of Use. Historical, current end-of-day data, and splits data provided by Interactive Data Pricing and Reference Data. Fundamental data provided by Edgar Online Inc.. Earnings data provided by FactSet CallStreet, LLC.

**ASSOCIATE'S DEGREES**

Associate of Arts in Business  
Associate of Arts in Health Care Administration  
Associate of Arts in Information Technology

**BACHELOR'S DEGREES**

Bachelor of Science in Business / Management  
Bachelor of Science in Criminal Justice Administration  
Bachelor of Science in Health Administration

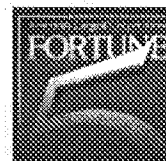
**MASTER'S DEGREES**

Master of Arts in Education/Curriculum  
Master of Business Administration  
Master of Information Systems

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**WORLD'S MOST ADMIRABLE COMPANIES 2007****FORTUNE**

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Top 50

Full list

Countries

Industries

No. 1s

Best &amp; Worst

America's Most Admired

**2007 All-Stars**

For the 50 most admired companies overall, FORTUNE's survey asked businesspeople to vote for the companies that they admired most, from any industry.

Rank	Company	Country
1	General Electric	U.S.
2	Toyota Motor	Japan
3	Procter & Gamble	U.S.
4	Johnson & Johnson	U.S.
5	Apple <sup>1</sup>	U.S.
6	Berkshire Hathaway	U.S.
7	FedEx	U.S.
8	Microsoft	U.S.
9	BMW	Germany
10	PepsiCo	U.S.
11	IBM	U.S.
12	Target	U.S.
13	Wal-Mart Stores	U.S.
14	United Parcel Service	U.S.
15	Costco Wholesale	U.S.
16	Walt Disney	U.S.
17	Singapore Airlines	Singapore

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quote.



18	Exxon Mobil	U.S.
19	Boeing	U.S.
20	Nokia	Finland
21	Citigroup	U.S.
22	Bank of America	U.S.
23	Honda Motor	Japan
24	Coca-Cola	U.S.
25*	Caterpillar	U.S.
25*	Nestlé	Switzerland
27	Dell	U.S.
28	Toyota Industries	Japan
29	Intel	U.S.
30	Tesco	Britain
31	DuPont	U.S.
32*	Cisco Systems	U.S.
32*	Walgreen	U.S.
34*	Samsung Electronics	South Korea
34*	Anheuser-Busch	U.S.
36	BP	Britain
37*	Best Buy	U.S.
37*	Siemens	Germany
39	Home Depot	U.S.
40	L'Oréal	France
41	Sony	Japan
42	Motorola	U.S.
43	Hewlett-Packard	U.S.
44	Northwestern Mutual	U.S.
45	Lowe's	U.S.
46	Canon	Japan
47	Deere	U.S.
48*	HSBC Holdings	Britain
48*	Xerox	U.S.

## How the co

Country

United States

Japan

Britain

France

Germany

**See all countries**

## Most admi managem

Company

Procter &amp; Gamble

FedEx

General Electric

**See the rest**

## Most admi

Company

Apple

FedEx

Walt Disney

**See the rest**

## Industry ch

Company

Tesco

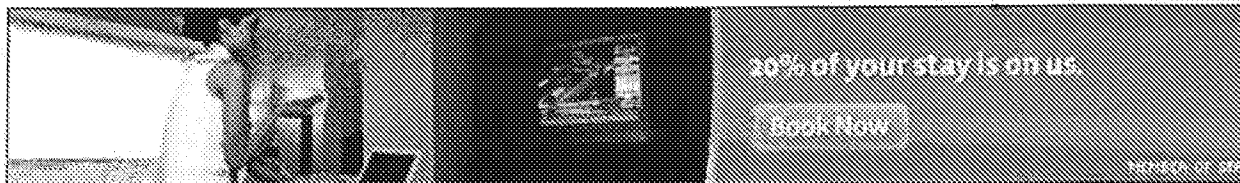
Nestlé

Bank of America

**See the rest**

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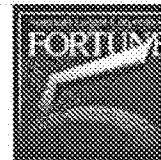


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## AMERICA'S MOST ADMIRABLE COMPANIES 2008

Top 20

Full list

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Industries

No. 1s

Best &amp; Worst

States

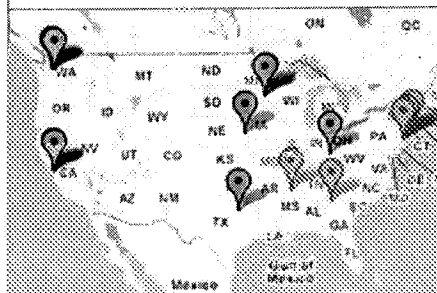
Global

## Top 20

For the 20 most admired companies overall, FORTUNE's survey asked businesspeople to vote for the companies that they admired most, from any industry.

Rank	Company
1	Apple
2	Berkshire Hathaway
3	General Electric
4	Google
5	Toyota Motor
6	Starbucks
7	FedEx
8	Procter & Gamble
9	Johnson & Johnson
10	Goldman Sachs Group
11	Target
12	Southwest Airlines
13	American Express
14*	BMW
14*	Costco Wholesale
16	Microsoft
17	United Parcel Service

## Most Admired Companies HQs



Show: Top 20 | Full list

## What readers say...

- Safeway should be ranked one of the WORST companies to work for! I ...
- Indeed these are amongst the most admired companies overall. One t...
- I work for the IKAN CORPORATION in Houston Texas. We sell video pro...

Have your say

## Find compar

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- ☐ Use of corporate a
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up. 83% are beati  
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earning returns lik  
they're recommen

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\*Results as of 5/13/08

18	Cisco Systems
19	3M
20	Nordstrom

From the March 17, 2008 issue

\* Indicates a tie.

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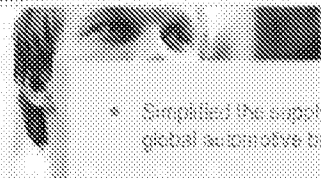
- Company
- Medco Health Solutio
- BMW
- Walt Disney
- See the rest

Most admir

- Company
- Apple
- Nike
- Medco Health Solutio
- See the rest

Industry ch

## **Exhibit 6**



SUCCESS STORIES

- Simplified the supply chain for a global automotive brand.

- Built a consolidated B2B platform.

- Launched a mobile banking network for a leading European bank.

## THE MOST INNOVATIVE COMPANIES

BusinessWeek

2 of 51



## 1. Apple

2006 rank: 1

As our first-place innovator for the third year in a row, Apple reigns again. The iPod creator is a master of superb product, store, and experience design. Now that it's invading the living room and the cell-phone market, will it continue the winning streak?

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# **Exhibit 7**

Int. Cl.: 9

Prior U.S. Cl.: 26

United States Patent Office

Reg. No. 1,078,312

Registered Nov. 29, 1977

**TRADEMARK**

Principal Register

**APPLE**

Apple Computer, Inc. (California corporation)  
20863 Stevens Creek Blvd.  
Cupertino, Calif. 95014

For: COMPUTERS AND COMPUTER PROGRAMS  
RECORDED ON PAPER AND TAPE, in CLASS 9  
(U.S. CL. 26).

First use during April 1976; in commerce during April  
1976.

Ser. No. 120,444, filed Mar. 25, 1977.

G. T. GLYNN, Examiner

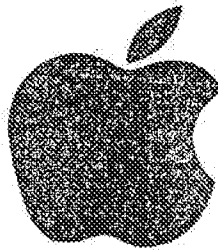
Int. Cl.: 9

Prior U.S. Cl.: 26, 38

United States Patent and Trademark Office

Reg. No. 1,114,431  
Registered Mar. 6, 1979

**TRADEMARK**  
Principal Register



Apple Computer, Inc. (California corporation)  
10260 Bandley Drive  
Cupertino, Calif. 95014

For: COMPUTERS AND COMPUTER PROGRAMS  
RECORDED ON PAPER AND TAPE, in CLASS 9  
(U.S. CLS. 26 and 38).

First use during January 1977; in commerce January 1977.

The mark consists of a silhouette of an apple with a bite removed.

Owner of Reg. No. 1,078,312.

Ser. No. 162,799, filed Mar. 20, 1978.

J. TINGLEY, Examiner



Int. Cl.: 9

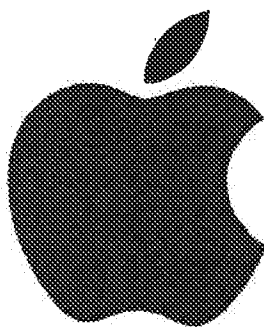
Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,715,578

Registered May 13, 2003

TRADEMARK  
PRINCIPAL REGISTER



APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)

1 INFINITE LOOP

CUPERTINO, CA 95014

FOR: COMPUTERS HARDWARE; COMPUTER HARDWARE, NAMELY, SERVER, DESKTOP, LAPTOP, NOTEBOOK AND SUBNOTEBOOK COMPUTERS; HAND HELD AND MOBILE COMPUTERS; COMPUTER TERMINALS AND MONITORS; PERSONAL DIGITAL ASSISTANTS; PORTABLE DIGITAL AUDIO PLAYERS; ELECTRONIC ORGANIZERS; COMPUTER KEYBOARDS, CABLES, MODEMS; AUDIO SPEAKERS; COMPUTER VIDEO CONTROL DEVICES, NAMELY, COMPUTER MICE, TRACKBALLS, JOYSTICKS AND GAMEPADS; A FULL LINE OF COMPUTER SOFTWARE FOR BUSINESS, HOME, EDUCATION, AND DEVELOPER USE; COMPUTER PROGRAMS FOR PERSONAL INFORMATION MANAGEMENT; DATABASE MANAGEMENT SOFTWARE; CHARACTER RECOGNITION SOFTWARE; TELEPHONY MANAGEMENT SOFTWARE; ELECTRONIC MAIL AND MESSAGING SOFTWARE; TELECOMMUNICATIONS SOFTWARE, NAMELY FOR PAGING; DATABASE SYNCHRONIZATION SOFTWARE; COMPUTER PROGRAMS FOR ACCESSING, BROWSING AND SEARCHING ONLINE DATABASES; OPERATING SYSTEM SOFTWARE; APPLICATION DEVELOPMENT TOOL PROGRAMS; BLANK COMPUTER STORAGE MEDIA; FONTS, TYPEFACES, TYPE DESIGNS AND SYMBOLS RECORDED ON MAGNETIC MEDIA; COMPUTER SOFTWARE FOR USE IN PROVIDING MULTIPLE USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK FOR SEARCHING, RETRIEVING,

TRANSFERRING, MANIPULATING AND DISSEMINATING A WIDE RANGE OF INFORMATION; COMPUTER SOFTWARE FOR USE AS A PROGRAMMING INTERFACE; COMPUTER SOFTWARE FOR USE IN NETWORK SERVER SHARING; LOCAL AND WIDE AREA NETWORKING SOFTWARE; COMPUTER SOFTWARE FOR MATCHING, CORRECTION, AND REPRODUCTION OF COLOR; COMPUTER SOFTWARE FOR USE IN DIGITAL VIDEO AND AUDIO EDITING; COMPUTER SOFTWARE FOR USE IN ENHANCING TEXT AND GRAPHICS; COMPUTER SOFTWARE FOR USE IN FONT JUSTIFICATION AND FONT QUALITY; COMPUTER SOFTWARE FOR USE TO NAVIGATE AND SEARCH A GLOBAL COMPUTER INFORMATION NETWORK, AS WELL AS TO ORGANIZE AND SUMMARIZE THE INFORMATION RETRIEVED; COMPUTER SOFTWARE FOR USE IN WORD PROCESSING AND DATABASE MANAGEMENT; WORD PROCESSING SOFTWARE INCORPORATING TEXT, SPREADSHEETS, STILL AND MOVING IMAGES, SOUNDS AND CLIP ART; COMPUTER SOFTWARE FOR USE IN AUTHORIZING, DOWNLOADING, TRANSMITTING, RECEIVING, EDITING, EXTRACTING, ENCODING, DECODING, PLAYING, STORING AND ORGANIZING AUDIO, VIDEO, STILL IMAGES AND OTHER DIGITAL DATA; COMPUTER SOFTWARE FOR ANALYZING AND TROUBLESHOOTING OTHER COMPUTER SOFTWARE; CHILDREN'S EDUCATIONAL SOFTWARE; COMPUTER GAME SOFTWARE; COMPUTER GRAPHICS SOFTWARE; COMPUTER SEARCH ENGINE SOFTWARE; WEB SITE DEVELOPMENT SOFTWARE; COMPUTER PROGRAM WHICH PROVIDES REMOTE VIEWING, REMOTE CONTROL, COMMUNICATIONS

AND SOFTWARE DISTRIBUTION WITHIN PERSONAL COMPUTER SYSTEMS AND ACROSS COMPUTER NETWORK; COMPUTER PROGRAMS FOR FILE MAINTENANCE AND DATA RECOVERY; COMPUTER PERIPHERALS; INSTRUCTIONAL MANUALS PACKAGED IN ASSOCIATION WITH THE ABOVE , IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-1977; IN COMMERCE 1-1-1977.

OWNER OF U.S. REG. NOS. 1,078,312, 2,180,949 AND OTHERS.

SER. NO. 76-426,501, FILED 7-1-2002.

JAMES A. RAUEN, EXAMINING ATTORNEY

**Int. Cls.: 35 and 41**

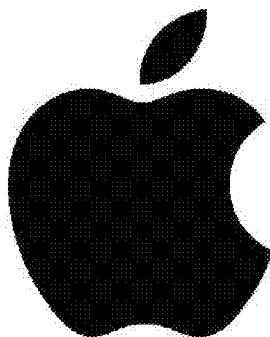
**Prior U.S. Cls.: 100, 101, 102 and 107**

**United States Patent and Trademark Office**

**Reg. No. 3,298,028**

**Registered Sep. 25, 2007**

**SERVICE MARK  
PRINCIPAL REGISTER**



APPLE INC. (CALIFORNIA CORPORATION)  
1 INFINITE LOOP  
CUPERTINO, CA 95014

FOR: ARRANGING AND CONDUCTING TRADE SHOWS, AND TRADE SHOW EXPOSITIONS AND EXHIBITIONS IN THE FIELDS OF COMPUTERS, COMPUTER SOFTWARE, ONLINE SERVICES, INFORMATION TECHNOLOGY, AND CONSUMER ELECTRONICS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-1-1981; IN COMMERCE 3-1-1981.

FOR: EDUCATION AND TRAINING SERVICES, NAMELY, CONDUCTING CLASSES, WORKSHOPS, CONFERENCES AND SEMINARS IN THE FIELD OF COMPUTERS, COMPUTER SOFTWARE, ONLINE SERVICES, INFORMATION TECHNOLOGY, INTERNET WEBSITE DESIGN, VIDEO PRODUCTS AND CONSUMER ELECTRONICS; ARRANGING OF EXHIBITIONS, SEMINARS AND CONFERENCES; ARRANGING PROFESSIONAL WORKSHOP AND TRAINING COURSES; COMPUTER EDUCATION TRAINING SERVICES; TRAINING IN THE USE AND OPERATION OF COMPUTERS AND COMPUTER SOFTWARE; PROVIDING A WEBSITE FOR THE UPLOADING, SHARING, VIEWING AND

POSTING OF PHOTOGRAPHS, DIGITAL IMAGES, MOVIES, VIDEOS, ONLINE JOURNALS, NAMELY WEB BLOGS IN GENERAL INTEREST FIELDS, AND OTHER RELATED MULTIMEDIA ENTERTAINMENT MATERIALS OVER A GLOBAL COMPUTER NETWORK; PROVIDING FITNESS AND EXERCISE FACILITIES; PHYSICAL FITNESS CONSULTATION AND INSTRUCTION; PROVIDING ON-LINE PUBLICATIONS IN THE NATURE OF NEWSLETTERS IN THE FIELD OF COMPUTERS AND EDUCATION; PROVIDING INFORMATION IN THE FIELD OF EDUCATION VIA THE INTERNET; PROVIDING INFORMATION IN THE FIELD OF ENTERTAINMENT VIA THE INTERNET CONCERNING MOVIES, MUSIC, VIDEOS, TELEVISION, CELEBRITIES, SPORTS, NEWS, HISTORY, SCIENCE, POLITICS, COMEDY, CHILDREN'S ENTERTAINMENT, ANIMATION, CULTURE, CURRENT EVENTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-1-1981; IN COMMERCE 3-1-1981.

OWNER OF U.S. REG. NOS. 1,114,431, 2,753,069 AND OTHERS.

SER. NO. 78-943,482, FILED 8-2-2006.

JEFFERY COWARD, EXAMINING ATTORNEY

## Exhibit 8

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**Reg. No. 2,034,964**

**United States Patent and Trademark Office**

**Registered Feb. 4, 1997**

**TRADEMARK  
PRINCIPAL REGISTER**

**APPLE**

APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON SW3 1LJ, ENGLAND

FOR: GRAMOPHONE RECORDS FEATUR-  
ING MUSIC; PRE-RECORDED AUDIO TAPE  
CASSETTES FEATURING MUSIC; AUDIO  
COMPACT DISCS FEATURING MUSIC; PRE-  
RECORDED VIDEO TAPE CASSETTES FEA-

TURING MUSIC; VIDEO LASER DISCS FEA-  
TURING MUSIC, IN CLASS 9 (U.S. CLS. 21, 23,  
26, 36 AND 38).

FIRST USE 8-0-1968; IN COMMERCE  
8-0-1968.

SER. NO. 74-693,839, FILED 6-26-1995.

ZHALEH DELANEY, EXAMINING ATTOR-  
NEY

Int. Cl.: 9

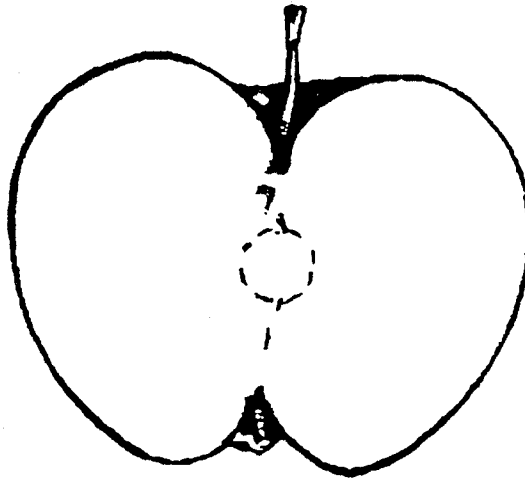
Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,036,537

**United States Patent and Trademark Office**

Registered Feb. 11, 1997

**TRADEMARK  
PRINCIPAL REGISTER**



APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON SW3 1LJ, ENGLAND

FIRST USE 8-0-1968; IN COMMERCE  
8-0-1968.

SER. NO. 74-693,838, FILED 6-26-1995.

FOR: GRAMOPHONE RECORDS FEATUR-  
ING MUSIC; PRE-RECORDED AUDIO COM-  
PACT DISCS FEATURING MUSIC, IN CLASS 9  
(U.S. CLS. 21, 23, 26, 36 AND 38).

ZHALEH DELANEY, EXAMINING ATTOR-  
NEY

Int. Cl.: 9

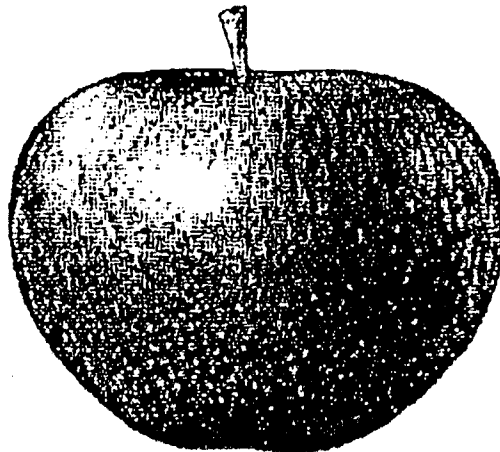
Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,041,653

**United States Patent and Trademark Office**

Registered Mar. 4, 1997

**TRADEMARK  
PRINCIPAL REGISTER**



APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON, ENGLAND SW3 1LJ

FOR: GRAMOPHONE RECORDS FEATUR-  
ING MUSIC; PRE-RECORDED AUDIO TAPE  
CASSETTES FEATURING MUSIC; AUDIO  
COMPACT DISCS FEATURING MUSIC; PRE-  
RECORDED VIDEO TAPE CASSETTES FEA-  
TURING MUSIC; VIDEO LASER DISCS FEA-

TURING MUSIC, IN CLASS 9 (U.S. CLS. 21, 23,  
26, 36 AND 38).

FIRST USE 8-0-1968; IN COMMERCE  
8-0-1968.

THE STIPPLING IN THE DRAWING IS  
USED TO SHOW SHADING AND IS NOT A  
FEATURE OF THE MARK.

SER. NO. 74-693,680, FILED 6-26-1995.

ZHALEH DELANEY, EXAMINING ATTOR-  
NEY

**Int. Cl.: 9**

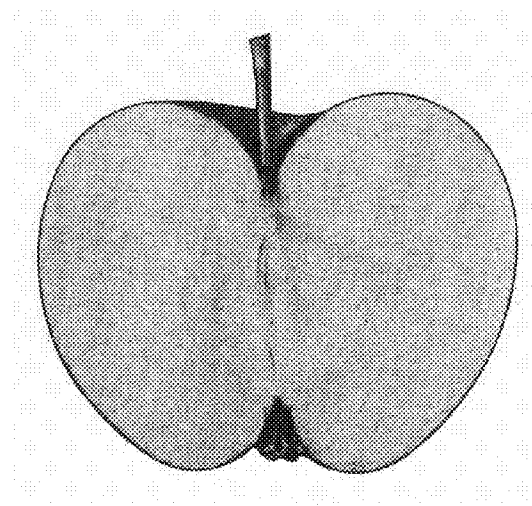
**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**United States Patent and Trademark Office**

**Reg. No. 3,200,354**

**Registered Jan. 23, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**



APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON SW3 1LJ, UNITED KINGDOM

FOR: MUSICAL SOUND RECORDINGS; SOUND RECORDINGS FEATURING ENTERTAINMENT, MUSIC, MUSICIANS, DOCUMENTARIES, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, HISTORICAL NARRATIVES, DRAMA AND FICTION; MUSICAL VIDEO RECORDINGS; MUSICAL CINEMATOGRAPHIC FILMS; VIDEO RECORDS AND CINEMATOGRAPHIC FILMS FEATURING ENTERTAINMENT, MUSIC, MUSICIANS, CARICATURES, CARTOONS, ANIMATION, TELEVISION PROGRAMS, DOCUMENTARIES, FILM EXCERPTS, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, HISTORICAL NARRATIVES, DRAMA AND FICTION; SOUND RECORDINGS, VIDEO RECORDS, CINEMATOGRAPHIC FILMS, NAMELY, TELEVISION PROGRAMS, MOTION PICTURES, AUDIO VISUAL RECORDS AND AUDIO VIDEO FILM FOOTAGE FOR TELEVISION AND OTHER TRANSMISSION; AUDIO AND VISUAL RECORDINGS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS; PRE-RE-

CORDED COMPACT DISCS, AUDIO TAPES, GRAMOPHONE RECORDS, VIDEO TAPES, VIDEO DISCS, DVDS, CD-ROMS AND INTERACTIVE COMPACT DISCS, ALL FEATURING OR RELATING TO MUSIC AND FILMS; DIGITALLY RECORDED SOUND AND VIDEO RECORDS FEATURING MUSIC, ENTERTAINMENT AND CINEMATOGRAPHIC FILMS; DOWNLOADABLE MUSICAL SOUND AND VIDEO RECORDS; DOWNLOADABLE SOUND AND VIDEO RECORDS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

OWNER OF ERPN CMNTY TM OFC REG. NO. 207209, DATED 12-9-1998, EXPIRES 4-1-2016.

OWNER OF U.S. REG. NO. 2,036,537.

THE MARK CONSISTS OF AN ARTISTIC RENDERING OF A HALF APPLE.

SER. NO. 78-430,282, FILED 6-4-2004.

GINA HAYES, EXAMINING ATTORNEY



**Int. Cl.: 9**

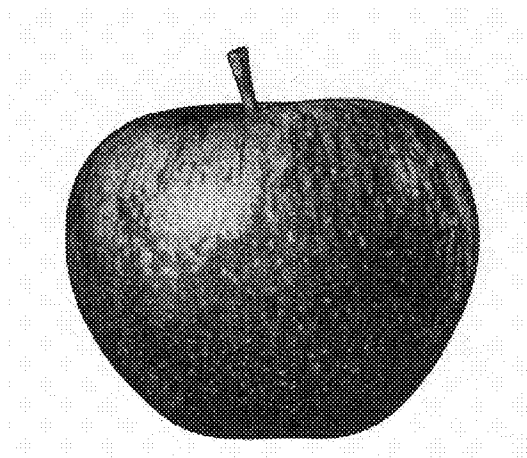
**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**United States Patent and Trademark Office**

**Reg. No. 3,221,275**

**Registered Mar. 27, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**



APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON SW3 1LJ, UNITED KINGDOM

FOR: MUSICAL SOUND RECORDINGS; SOUND RECORDINGS FEATURING ENTERTAINMENT, MUSIC, MUSICIANS, DOCUMENTARIES, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, HISTORICAL NARRATIVES, DRAMA AND FICTION; MUSICAL VIDEO RECORDINGS; MUSICAL CINEMATOGRAPHIC FILMS; VIDEO RECORDS AND CINEMATOGRAPHIC FILMS FEATURING ENTERTAINMENT, MUSIC, MUSICIANS, CARICATURES, CARTOONS, ANIMATION, TELEVISION PROGRAMS, DOCUMENTARIES, FILM EXCERPTS, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, HISTORICAL NARRATIVES, DRAMA AND FICTION; SOUND RECORDINGS, VIDEO RECORDS, CINEMATOGRAPHIC FILMS, NAMELY, TELEVISION PROGRAMS, MOTION PICTURES, AUDIO VISUAL RECORDS AND AUDIO VIDEO FILM FOOTAGE FOR TELEVISION AND OTHER TRANSMISSION; AUDIO AND VISUAL RECORDINGS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS; PRE-RE-

CORDED COMPACT DISCS, AUDIO TAPES, GRAMOPHONE RECORDS, VIDEO TAPES, VIDEO DISCS, DVDS, CD-ROMS AND INTERACTIVE COMPACT DISCS, ALL FEATURING OR RELATING TO MUSIC AND FILMS; DIGITALLY RECORDED SOUND AND VIDEO RECORDS FEATURING MUSIC, ENTERTAINMENT AND CINEMATOGRAPHIC FILMS; DOWNLOADABLE MUSICAL SOUND AND VIDEO RECORDS; DOWNLOADABLE SOUND AND VIDEO RECORDS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

OWNER OF ERPN CMNTY TM OFC REG. NO. 207274, DATED 10-5-1999, EXPIRES 4-1-2016.

OWNER OF U.S. REG. NO. 2,041,653.

THE MARK CONSISTS OF AN ARTISTIC RENDERING OF AN APPLE.

SER. NO. 78-430,266, FILED 6-4-2004.

GINA HAYES, EXAMINING ATTORNEY

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**United States Patent and Trademark Office**

**Reg. No. 3,317,089**

**Registered Oct. 23, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

**APPLE**

APPLE CORPS LIMITED (UNITED KINGDOM  
COMPANY)  
27 OVINGTON SQUARE  
LONDON SW3 1LJ, UNITED KINGDOM

FOR: MUSICAL SOUND RECORDS; SOUND RECORDS FEATURING ENTERTAINMENT; SOUND RECORDS FEATURING MUSIC, MUSICIANS, DOCUMENTARIES, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, DRAMA AND FICTION; MUSICAL VIDEO RECORDS; VIDEO RECORDS FEATURING ENTERTAINMENT; VIDEO RECORDS FEATURING MUSIC, MUSICIANS, CARICATURES, CARTOONS, ANIMATION, DOCUMENTARIES, BIOGRAPHIES, INTERVIEWS, PERFORMANCES, REVIEWS, DRAMA AND FICTION; CINEMATOGRAPHIC FILMS; MUSICAL SOUND RECORDINGS; MUSICAL VIDEO RECORDINGS; AUDIO AND VISUAL RECORDINGS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS; PRE-RECORDED COMPACT DISCS, AUDIO TAPES, GRAMOPHONE RECORDS, VIDEO TAPES, VIDEO DISCS, DVDS,

CD-ROMS AND INTERACTIVE COMPACT DISCS, ALL FEATURING OR RELATING TO MUSIC AND FILMS; DIGITALLY RECORDED SOUND AND VIDEO RECORDS; DOWNLOADABLE MUSICAL SOUND AND VIDEO RECORDS; DOWNLOADABLE SOUND AND VIDEO RECORDS FEATURING OR RELATING TO MUSIC, ENTERTAINMENT AND FILMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO. 00218990, DATED 11-16-2000, EXPIRES 4-1-2016.

OWNER OF U.S. REG. NO. 2,034,964.

SER. NO. 78-430,230, FILED 6-4-2004.

DARRYL SPRUILL, EXAMINING ATTORNEY

## Exhibit 9

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Pages: 5

Received: 04/05/2007

Recorded: 04/05/2007

Conveyance: ASSIGNS THE ENTIRE INTEREST

**Total properties: 4**

1	Serial #: <u>74693680</u> Mark:	Filing Dt: 06/26/1995	Reg #: <u>2041653</u>	Reg. Dt: 03/04/1997
2	Serial #: <u>74693838</u> Mark:	Filing Dt: 06/26/1995	Reg #: <u>2036537</u>	Reg. Dt: 02/11/1997
3	Serial #: <u>74693839</u> Mark: APPLE	Filing Dt: 06/26/1995	Reg #: <u>2034964</u>	Reg. Dt: 02/04/1997
4	Serial #: <u>78430282</u> Mark:	Filing Dt: 06/04/2004	Reg #: <u>3200354</u>	Reg. Dt: 01/23/2007

**Assignor**

1	<u>APPLE CORPS LIMITED</u>	Exec Dt: 02/02/2007 Entity Type: COMPANY Citizenship: UNITED KINGDOM
---	----------------------------	--

**Assignee**

1	<u>APPLE INC.</u> 1 INFINITE LOOP CUPERTINO, CALIFORNIA 95014	Entity Type: CORPORATION Citizenship: CALIFORNIA
---	---	---

**Correspondence name and address**

THOMAS R. LA PERLE  
1 INFINITE LOOP  
MS: 3TM  
CUPERTINO, CA 95014

Search Results as of: 10/23/2007 03:15 PM

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Web interface last modified: April 20, 2007 v.2.0.1

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## Exhibit 10

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Pages: 5

Received: 05/24/2007

Recorded: 05/24/2007

Conveyance: ASSIGNS THE ENTIRE INTEREST

**Total properties: 1**

1	Serial #: <u>78430266</u>	Filing Dt: 06/04/2004	Reg #: <u>3221275</u>	Reg. Dt: 03/27/2007
	Mark:			

**Assignor**

1	<u>APPLE CORPS LIMITED</u>	Exec Dt: 05/22/2007
		Entity Type: COMPANY
		Citizenship: UNITED KINGDOM

**Assignee**

1	<u>APPLE INC.</u>	Entity Type: CORPORATION
	1 INFINITE LOOP	Citizenship: CALIFORNIA
	CUPERTINO, CALIFORNIA 95014	

**Correspondence name and address**

THOMAS R. LA PERLE  
1 INFINITE LOOP  
MS: 3TM  
CUPERTINO, CA 95014

Search Results as of: 10/23/2007 03:16 PM

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Web interface last modified: April 20, 2007 v.2.0.1

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## Exhibit 11

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Filing Dt: 06/04/2004

Reg #: [3317089](#)

Reg. Dt: 10/23/2007

Registrant: Apple Corps Limited

Mark: APPLE

**Assignment: 1**Reel/ Frame: [3691/0084](#)

Received: 01/07/2008

Recorded: 01/07/2008

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor:

[APPLE CORPS LIMITED](#)

Exec Dt: 01/07/2008

Entity Type: COMPANY

Citizenship: UNITED KINGDOM

Assignee: [APPLE INC.](#)

1 INFINITE LOOP

CUPERTINO, CALIFORNIA 95014

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Correspondent: THOMAS R. LA PERLE

1 INFINITE LOOP

MS: 3TM

CUPERTINO, CA 95014

Search Results as of: 01/14/2008 07:54 PM

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Web interface last modified: April 20, 2007 v.2.0.1

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